



## Arlington Conservation Commission

**Date:** Thursday, June 6, 2024

**Time:** 7:00 AM

**Location:** Conducted by Remote Participation.

Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page. This meeting will be conducted in a remote format consistent with Chapter 2 of the Acts of 2023, which further extends certain COVID-19 measures regarding remote participation in public meetings until March 31, 2025. Please note: Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This agenda includes those matters which can be reasonably anticipated to be discussed at the meeting.

### Agenda

1. Administrative
  - a. Review of May 16, 2024, Meeting Minutes.
  - b. Correspondence Received.  
All correspondence is available to the public. For a full list, contact the Conservation Agent at [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us).
  - c. Administrative Report.
2. Discussion
  - a. 34 Dudley Street Enforcement.
  - b. Water Bodies Working Group.
  - c. Tree Committee Update.
  - d. CPA Committee Update.
  - e. Park & Recreation Commission Liaison.  
Next meeting 6/11/24, Chuck Tirone to attend

3. Hearings

**DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 5/16/2024).**

DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 5/16/2024).

The Conservation Commission will hold a public hearing under the Wetlands Protection Act to consider a Notice of Intent for the construction of Thorndike Place, a multifamily development on Dorothy Road in Arlington. The Commission will consider proposal(s) for peer review.

**DEP #091-0358: Notice of Intent: 18 Hamilton Road.**

DEP #091-0358: Notice of Intent: 18 Hamilton Road.

The Conservation Commission will hold a public hearing to consider a Notice of Intent under the Wetlands Protection Act and Arlington Bylaw for Wetlands Protection for the restoration of Bank associated with Spy Pond at 18 Hamilton Street.

**Notice of Intent: Medford Boat Club.**

Notice of Intent: Medford Boat Club.

The Conservation Commission will hold a public hearing under the Wetlands Protection Act and Arlington Bylaw for Wetlands Protection to consider a Notice of Intent for an aquatic management program by the Medford Boat Club located on the Mystic Lakes.



## Town of Arlington, Massachusetts

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### Correspondence Received.

#### Summary:

Correspondence Received.

All correspondence is available to the public. For a full list, contact the Conservation Agent at [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us).

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	Correspondence_Received_-_AGM_Boardwalk_-_David_White.pdf	Correspondence Received - AGM Boardwalk - David White.pdf
Reference Material	Correspondence_Received_-_Colonial_Village_Tree_Work_-_Jude_Marcotte.pdf	Correspondence Received - Colonial Village Tree Work - Jude Marcotte.pdf
Reference Material	Correspondence_Received_-_Glyphosate_-_Beth_Melofchik.pdf	Correspondence Received - Glyphosate - Beth Melofchik.pdf
Reference Material	Correspondence_Received_-_Invasives_-_Mia_Milstein.pdf	Correspondence Received - Invasives - Mia Milstein.pdf
Reference Material	Correspondence_Received_-_Mill_Brook_Debris_-_Andy_Platt.pdf	Correspondence Received - Mill Brook Debris - Andy Platt.pdf
Reference Material	Correspondence_Received_-_Mill_Brook_Debris_-_Mildene_Bradley.pdf	Correspondence Received - Mill Brook Debris - Mildene Bradley.pdf
Reference Material	Correspondence_Received_-_Mt._Gilboa_-_Suzanna_Settlemyre.pdf	Correspondence Received - Mt. Gilboa - Suzanna Settlemyre.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_John_Yurewicz.pdf	Correspondence Received - Thorndike Place - John Yurewicz.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_MMA.pdf	Correspondence Received - Thorndike Place - MMA.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Scott_Horsley.pdf	Correspondence Received - Thorndike Place - Scott Horsley.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Stephanie_Kiefer.pdf	Correspondence Received - Thorndike Place - Stephanie Kiefer.pdf

## Arlington's Great Meadows Boardwalk repair - June 15

David White <dwhite@gilbertwhite.com>

Mon 6/3/2024 10:05 AM

To:ConComm <ConComm@town.arlington.ma.us>;Karen Mullins <kmullins@lexingtonma.gov>

Cc:Greg Shenstone <gshenstone@gmail.com>;Lorelle Yee <lorelleyee@yahoo.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi All,

Just to let you know that the about 80 decaying boards on the Great Meadows boardwalks will be replaced by scouts of Arlington Troop 313 on June 15.

Greg Shenstone copied in this email is the primary AGM contact.

David White for FoAGM



## Re: Falling Tree Concerns

Tim Lecuivre <tlecuivre@town.arlington.ma.us>

Wed 5/22/2024 12:47 PM

To: David Morgan <dmorgan@town.arlington.ma.us>

Hello David,

Thank you for sending this over.

John will coordinate the work.

Best,

Tim

Timothy A. Lecuivre MCA, MQTW  
Arlington Tree Warden  
Department of Public Works  
51 Grove Street  
Arlington, MA 02476  
TLecuivre@town.arlington.ma.us

---

**From:** David Morgan <dmorgan@town.arlington.ma.us>

**Sent:** Tuesday, May 21, 2024 2:43 PM

**To:** Tim Lecuivre <tlecuivre@town.arlington.ma.us>; John Deutschmann <jdeutschmann@town.arlington.ma.us>

**Subject:** Fw: Falling Tree Concerns

Hi Tim and John,

There are a couple dead trees at Colonial Village that need removing. It's within ConCom jurisdiction, but this is just maintenance and doesn't need my sign-off. Could you please coordinate with the management company below?

Cheers,

David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

*Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.*

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**From:** David Morgan <dmorgan@town.arlington.ma.us>

**Sent:** Tuesday, May 21, 2024 2:40 PM

**To:** Jude Marcotte <jmarcotte@firstrealtymgt.com>; ConComm <ConComm@town.arlington.ma.us>

**Cc:** Brian Gajewski <bgaiewski@firstrealtymgt.com>; Duarte Raposo <draposo@firstrealtymgt.com>; Marcia Good <mgood@firstrealtymgt.com>

**Subject:** Re: Falling Tree Concerns

Hi Jude,

I see, you had contacted DPW first. I will pass the approval on to the Tree Division.

Cheers,  
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

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**From:** Jude Marcotte <jmarcotte@firstrealtymgt.com>

**Sent:** Tuesday, May 21, 2024 2:32 PM

**To:** David Morgan <dmorgan@town.arlington.ma.us>; ConComm <ConComm@town.arlington.ma.us>

**Cc:** Brian Gajewski <bgajewski@firstrealtymgt.com>; Duarte Raposo <draposo@firstrealtymgt.com>; Marcia Good <mgood@firstrealtymgt.com>

**Subject:** RE: Falling Tree Concerns

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Hello,

We didn't have an arborist come out for this as these trees are literally falling and held up by the other trees, which are on conservation land. We're not looking to cut these away, we're asking for something to be done about them before they fall on to the property.

Thank you,



Jude R. Marcotte Jr. | Condo Portfolio Manager

First Realty Management Corp. AMO®

151 Tremont Street | Boston | M.A. | 02111

P: 617.423.7000 ext 3726

F: 617.542.0902

jmarcotte@firstrealtymgt.com | <http://www.firstrealtymgt.com>

*Celebrating 70 years in Business*

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**From:** David Morgan <dmorgan@town.arlington.ma.us>

**Sent:** Tuesday, May 21, 2024 2:16 PM

**To:** Jude Marcotte <jmarcotte@firstrealtymgt.com>; ConComm <ConComm@town.arlington.ma.us>

**Cc:** Brian Gajewski <bgajewski@firstrealtymgt.com>; Duarte Raposo <draposo@firstrealtymgt.com>; Marcia Good <mgood@firstrealtymgt.com>

**Subject:** [EXTERNAL] Re: Falling Tree Concerns

Hi Jude,

Thanks for following up. If you could please forward the arborist's assessment that the trees in question are dead, I'd be happy to allow work to proceed.

Cheers,  
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

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**From:** Jude Marcotte <[jmarcotte@firstrealtymgt.com](mailto:jmarcotte@firstrealtymgt.com)>

**Sent:** Thursday, May 9, 2024 1:57 PM

**To:** ConComm <[ConComm@town.arlington.ma.us](mailto:ConComm@town.arlington.ma.us)>

**Cc:** Brian Gajewski <[bgajewski@firstrealtymgt.com](mailto:bgajewski@firstrealtymgt.com)>; Duarte Raposo <[draposo@firstrealtymgt.com](mailto:draposo@firstrealtymgt.com)>; Marcia Good <[mgood@firstrealtymgt.com](mailto:mgood@firstrealtymgt.com)>

**Subject:** RE: Falling Tree Concerns

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

We are reaching out again as we have not heard anything regarding this matter. The trees in question pose a risk of falling and causing damage to property, and possibly people. We would be more than happy to meet with someone from your department to discuss. You can also reach me at 978-995-4764.

Thank you,



Jude R. Marcotte Jr. | **Condo Portfolio Manager**

First Realty Management Corp. AMO®

151 Tremont Street | Boston | M.A. | 02111

P: 617.423.7000 ext 3726

F: 617.542.0902

[jmarcotte@firstrealtymgt.com](mailto:jmarcotte@firstrealtymgt.com) | <http://www.firstrealtymgt.com>

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**From:** Jude Marcotte

**Sent:** Friday, April 19, 2024 2:58 PM

**To:** [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us)

**Cc:** Brian Gajewski <[bgajewski@firstrealtymgt.com](mailto:bgajewski@firstrealtymgt.com)>; Duarte Raposo <[draposo@firstrealtymgt.com](mailto:draposo@firstrealtymgt.com)>; Marcia Good <[mgood@firstrealtymgt.com](mailto:mgood@firstrealtymgt.com)>

**Subject:** Falling Tree Concerns

Good afternoon,

My name is Jude Marcotte, and I am the Property Manager for the Colonial Village Condominium Trust on Colonial Village Drive in Arlington, MA. We have some trees that appear to be dead and are almost falling on to our property. One tree is being held up by another, and we fear that on a windy day, it could send this down on to the parking spaces/cars below. I had reached out to the Town of Arlington DPW but they stated that these trees are located on Conservation land, and that we would have to contact the Conservation Commission of Arlington. We also wanted to bring to your attention the potential issue of downed trees and vines starting to clog up the brook that wraps around our property line. I have attached some photos to reflect some, but not all our concerns. Would someone be able to come out to look at these? We can coordinate to have someone meet you on site to do so. We look forward to hearing back from you.

Thank you,



Jude R. Marcotte Jr. | **Condo Portfolio Manager**  
First Realty Management Corp. AMO®  
151 Tremont Street | Boston | M.A. | 02111  
P: 617.423.7000 ext 3726  
F: 617.542.0902  
[jmarcotte@firstrealtymgt.com](mailto:jmarcotte@firstrealtymgt.com) | <http://www.firstrealtymgt.com>  
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## Glyphosate

Beth Melofchik <tankmadel@yahoo.com>

Fri 5/17/2024 11:33 AM

To:ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Conservation Commission,

Are you aware of any pesticide's or herbicides used on town property?

I noticed a small yellow flag indicator for a pesticide/herbicide application at Mt. Pleasant Cemetery for May 7, and thought you might be aware.

And want to share this:

<https://www.theguardian.com/environment/article/2024/may/17/glyphosate-weedkiller-sperm>

Beth Melofchik

## Conservation land on Brattle street

Mia <miamil2002@gmail.com>

Wed 5/29/2024 2:28 PM

To:ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi my name is Mia Milstein and I live on the corner of hemlock and Brattle. There is a small strip of what I believe is conservation land on Brattle street and I was walking my dog and noticed that the area is overgrown with invasives. I think it would be unfortunate if these plants were able to continue to grow and spread in this area. I've attached pictures of the area. There is multiflora rose, garlic mustard, and bittersweet nightshade.

Best,

Mia Milstein  

RE: Mill Brook -- email #2

Andy Platt <aplatt@bohlereng.com>

Wed 5/15/2024 11:51 AM

To: Randy Miron <rmiron@bohlereng.com>; David Morgan <dmorgan@town.arlington.ma.us>; Rob Smetana <rob.smetana@aberthawcc.com>; Sean Cashman <sean.cashman@aberthawcc.com>; JD Tran <duy.tran@aberthawcc.com>; Daniel Beyea <daniel.beyea@aberthawcc.com>; Scott Sasek <scott.sasek@aberthawcc.com>; Keith Waddington <keith.waddington@aberthawcc.com>

Cc: Chuck Tirone <ctirone@ci.reading.ma.us>; Susan Chapnick <s.chapnick@comcast.net>; Ryan Clapp <rclapp@town.arlington.ma.us>; W191330@nf.bohlereng.com <W191330@nf.bohlereng.com>; Jarrett Leonard <Jarrett.Leonard@ssinvests.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

David,

Rob from Aberthaw checked out the fence in the stream and it looks like it was attached to the bridge and fell in a while ago. Rob would have taken it out, but the only access is through someone's house or yard.

It's definitely not from the 1165R site, and looks like this might be more of a job for the Town's DPW.





Thank you,

**Andy Platt, P.E.**

Sr. Project Engineer

o 508-480-9900 / [aplatt@bohlereng.com]aplatt@bohlereng.com

**BOHLER //**

---

**From:** Randy Miron <rmiron@bohlereng.com>

**Sent:** Tuesday, May 14, 2024 1:33 PM

**To:** David Morgan <dmorgan@town.arlington.ma.us>; Rob Smetana <rob.smetana@aberthawcc.com>; Sean Cashman <sean.cashman@aberthawcc.com>; JD Tran <duy.tran@aberthawcc.com>; Daniel Beyea <daniel.beyea@aberthawcc.com>; Scott Sasek <scott.sasek@aberthawcc.com>; Keith Waddington <keith.waddington@aberthawcc.com>

**Cc:** Chuck Tirone <ctirone@ci.reading.ma.us>; Susan Chapnick <s.chapnick@comcast.net>; Ryan Clapp <rclapp@town.arlington.ma.us>; Andy Platt <aplatt@bohlereng.com>; W191330@nf.bohlereng.com; Jarrett Leonard <Jarrett.Leonard@ssinvests.com>

**Subject:** RE: Mill Brook -- email #2

Hi David, we're tying the Aberthaw team into this email. We spoke with them last week and they were going to look into the below.

Rob, any update on this?

**Randy Miron**

Associate

o 508-480-9900 / c 508-450-8823 / [rmiron@bohlereng.com]rmiron@bohlereng.com

**BOHLER //**

---

**From:** David Morgan <[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)>

**Sent:** Tuesday, May 14, 2024 1:22 PM

**To:** Randy Miron <[rmiron@bohlereng.com](mailto:rmiron@bohlereng.com)>

**Cc:** Chuck Tirone <[ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us)>; Susan Chapnick <[s.chapnick@comcast.net](mailto:s.chapnick@comcast.net)>; Ryan Clapp <[rclapp@town.arlington.ma.us](mailto:rclapp@town.arlington.ma.us)>; Andy Platt <[aplatt@bohlereng.com](mailto:aplatt@bohlereng.com)>; [W191330@nf.bohlereng.com](mailto:W191330@nf.bohlereng.com)

**Subject:** Re: Mill Brook -- email #2

<b>EXTERNAL:</b> Use caution with attachments and links.
--

Thanks, Randy. I'm back in the office after several days away. Where do things stand with the contractor?

Cheers,

David



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**From:** Randy Miron <[rmiron@bohlereng.com](mailto:rmiron@bohlereng.com)>  
**Sent:** Tuesday, May 7, 2024 2:15 PM  
**To:** David Morgan <[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)>  
**Cc:** Chuck Tirone <[ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us)>; Susan Chapnick <[s.chapnick@comcast.net](mailto:s.chapnick@comcast.net)>; Ryan Clapp <[rclapp@town.arlington.ma.us](mailto:rclapp@town.arlington.ma.us)>; Andy Platt <[aplatt@bohlereng.com](mailto:aplatt@bohlereng.com)>; [W191330@nf.bohlereng.com](mailto:W191330@nf.bohlereng.com) <[W191330@nf.bohlereng.com](mailto:W191330@nf.bohlereng.com)>  
**Subject:** RE: Mill Brook -- email #2

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi David,  
We'll relay the below to the contractor.

Thanks,

**Randy Miron**

Associate  
352 Turnpike Road  
Southborough, MA 01772  
o 508-480-9900 / c 508-450-8823 / [[rmiron@bohlereng.com](mailto:rmiron@bohlereng.com)][rmiron@bohlereng.com](mailto:rmiron@bohlereng.com)  
[www.BohlerEngineering.com](http://www.BohlerEngineering.com)

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**From:** David Morgan <[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)>  
**Sent:** Tuesday, May 7, 2024 1:19 PM  
**To:** Randy Miron <[rmiron@bohlereng.com](mailto:rmiron@bohlereng.com)>  
**Cc:** Chuck Tirone <[ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us)>; Susan Chapnick <[s.chapnick@comcast.net](mailto:s.chapnick@comcast.net)>; Ryan Clapp <[rclapp@town.arlington.ma.us](mailto:rclapp@town.arlington.ma.us)>  
**Subject:** Fw: Mill Brook -- email #2

<b>EXTERNAL:</b> Use caution with attachments and links.
--

Hi Randy,  
The 1165R Mass Ave worksite is just upstream from here, so my educated guess tells me this is a piece of your fencing. There is also some erosion control fencing debris a little farther upstream. I'm not sure how it'd be done, but could you please ask the folks on site to retrieve this debris?

Cheers,

David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

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**From:** Mildene Bradley2 <[Mildene\\_Bradley2@comcast.net](mailto:Mildene_Bradley2@comcast.net)>

**Sent:** Tuesday, May 7, 2024 10:29 AM

**To:** ConComm <[ConComm@town.arlington.ma.us](mailto:ConComm@town.arlington.ma.us)>

**Subject:** Mill Brook -- email #2

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Conservation Committee,

As you'll see from the attached photo #1, there is a large piece of a metal fence that has fallen into Mill Brook. The location is in the brook adjacent to the Brattle Street 'bridge' that crosses Mill Brook. It's to the left of the bridge as you approach from Mass Avenue.

Photos #2 & #3 are there to provide a better sense of the location on Brattle Street.

/Mildene Bradley

## Re: Mill Brook -- email #2

Mildene Bradley2 <Mildene\_Bradley2@comcast.net>

Mon 5/27/2024 11:08 AM

To: David Morgan <dmorgan@town.arlington.ma.us>

 1 attachments (4 MB)

FenceMillBrook\_2024-05-27.jpg;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi David,

I noticed today while walking the Brattle Street overpass above Mill Brook that the fence is still in the brook and its location has shifted so that it is much closer to the overpass – i.e., moving downstream – see attached photo.

Thought you'd be interested in knowing this.

/Mildene

---

**From:** David Morgan <dmorgan@town.arlington.ma.us>

**Date:** Tuesday, May 7, 2024 at 1:20 PM

**To:** Mildene Bradley-Home2 <Mildene\_Bradley2@comcast.net>, ConComm  
<ConComm@town.arlington.ma.us>

**Subject:** Re: Mill Brook -- email #2

Thanks, Mildene. I noticed the same thing just a couple days ago and was going to contact the environmental monitor for the project just upstream. I did so today and hope they'll be able to resolve this for us.

Cheers,

David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development |  
781.316.3012

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**From:** Mildene Bradley2 <Mildene\_Bradley2@comcast.net>

**Sent:** Tuesday, May 7, 2024 10:29 AM

**To:** ConComm <ConComm@town.arlington.ma.us>

**Subject:** Mill Brook -- email #2

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Conservation Committee,

As you'll see from the attached photo #1, there is a large piece of a metal fence that has fallen into Mill Brook. The location is in the brook adjacent to the Brattle Street 'bridge' that crosses Mill Brook. It's to the left of the bridge as you approach from Mass Avenue.

Photos #2 & #3 are there to provide a better sense of the location on Brattle Street.

/Mildene Bradley

## Re: Mt Gilboa Survey

David Morgan <dmorgan@town.arlington.ma.us>

Mon 6/3/2024 9:50 AM

To: Suzanna Settlemyre <ssettlemyre@gmail.com>; ConComm <ConComm@town.arlington.ma.us>

Hi Suzanna,

Thanks for getting in touch. The survey officially closed at the end of January and is no longer accepting submissions. The webpage should have alerted you to that fact, and I'm surprised it let you respond at all. The message I see when I visit that page is below. I am sorry that you ran into this glitch.



### Mt. Gilboa Feasibility Study Survey

The form Mt. Gilboa Feasibility Study Survey is no longer accepting responses.  
Try contacting the owner of the form if you think this is a mistake.

[See previous responses](#)

Cheers,  
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

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**From:** Suzanna Settlemyre <ssettlemyre@gmail.com>

**Sent:** Friday, January 19, 2024 9:21 AM

**To:** ConComm <ConComm@town.arlington.ma.us>

**Subject:** Mt Gilboa Survey

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

17 of 162

I've tried several times to complete the survey but am unable to get past the question regarding what to do with the building on site. Every time I answer all the questions it thinks I've answered some of them more than once.

Not sure if you have received any completed survey responses.

Thanks,

Suzanna Settlemyre

## Mugar Wetlands - Thorndike Place

jspikey@comcast.net <jspikey@comcast.net>

Thu 5/16/2024 10:29 AM

To: Jeanette Cummings <jecummings87@gmail.com>; jada86@aol.com <jada86@aol.com>; ConComm  
<ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To: Arlington Conservation Commission

To: whom it may concern..... It should concern everyone!!!

My name is John Yurewicz. I am a long time resident of the neighborhood abutting the Mugar Wetlands site.

As every day goes by we seem to be inching closer to losing something that we will never be able to get back! As I look down Littlejohn Street every day I can see a large, green place that was created by Mother Nature a very long time ago. It's not a perfect place and, for sure, it's not a bad place. The inherent beauty is something that so many people probably take for granted. For me, it's a place that gets more than a passing glance. I walk the neighborhood frequently for my general health and well being. I always look in there to see what I can see. The occasional squirrel or chipmunk, or the many types of birds all doing their thing are welcome sights for me that so, so many people from other areas do not have basically right next door. A couple of weeks ago, one of my neighbors was visited by an eagle swooping right over her back yard. One day, there was an eagle perched on my next door neighbor's roof! Was that big bird from the Mugar wetland? For me, these sights and the host green space are some of the few riches that I have. It would be terrible to see all that get cut down by workers with chain saws and driving bull dozers and dump trucks all in the name of 'development'!

This area of Arlington is pretty well encircled by some form of water body. Spy Pond, Alewife Brook, The Mystic River, and Little Spy Pond surround this end of town. This end of town is, in fact, the lowest land in town. Are we in a watershed? Well, it's not like we have water cascading down Mass. Ave. or Route 2 flooding our streets. However, in heavy rains our streets are flooded! Instead, it's what is happening underground that hides whatever water inflows are invading our neighborhood. Wet basements are commonplace around here. The proposed large, deep excavation filled with a concrete walled subsurface parking garage will be enough of a barrier to all the existing underground aquifers and their flow so that the already shallow ground water will rise inflicting increased damage to those already with wet basements AND further, to those who, up to now, have not had much in the way of water problems. These are expensive problems to solve, all in the name of 'development'!

Fear. Worry. Disturbance. Expense! All are products of the many impacts of this property development. And I haven't even mentioned the miserable noise and congestion associated with the two plus years of demolition of our green space and the raw building and road construction and the ripple effect of the influx of all the workers piling into our neighborhood! Further, the impact of the drawdown of our local utilities such as water and electricity supply and sewage removal thru existing 'sufficient' services can only show to diminish in some level what we have come to get used to in our daily lives. Again, all in the name of 'development'!

Lastly, we who reside in this end of town are experiencing a resurgence of the daily morning and afternoon traffic volumes on Lake Street. Granted, this is probably not a Concomm issue but it sure is a royal pain for this neighborhood's residents when simple rides to and from our homes are greatly slowed by long lines of cars going both directions. It's easy to think of what the addition of a bunch of new residents with their cars driving on our small, neighborhood streets will do to that existing AND growing problem! Sadly, and again, all in the name of 'development'!

For sure, the owners of the Mugar property and all its new residents will be winners if this development is allowed! The many existing residents of the area between Route 2, Kelwyn Manor, Mass. Ave., and the Mugar property will all be forever losers!!

Please 'conserve' and protect the Mugar "WETLAND"! There is way too much at stake for many people in this area.

Thank you.

Respectfully submitted,

John C. Yurewicz



May 16, 2024

By email:

Arlington Land Trust, Inc.  
 Attn: Chris Leich  
 P.O. Box 492  
 Arlington, MA 02476  
[cmleich@comcast.net](mailto:cmleich@comcast.net)

**RE: Proposed Residential Development, Dorothy Road, Arlington, Massachusetts  
 Frimpter Adjustments to Selected April and May Groundwater Elevations**

Dear Mr. Leich,

This letter presents the results of applying the Frimpter adjustments to certain groundwater elevations reported by BSC Group. Specifically, Frimpter adjustments were applied to groundwater elevations measured by BSC Group between April 17, 2024 and May 9, 2024 at four locations: TP-1, TP-6, TP-7, and TP-9.

The unadjusted elevations reported by BSC are represented in the following table:

	Unadjusted/Reported Groundwater Elevations			
Mon. Well / Test Pit	April 17, 2024	April 24, 2024	May 2, 2024	May 9, 2024
TP-1	3.01	2.87	2.69	2.74
TP-6	2.95	2.68	2.28	2.79
TP-7	3.47	3.30	3.05	3.26
TP-9	3.97	3.78	3.59	3.30

The following table reflects groundwater elevations adjusted using the Frimpter technique:

	Frimpter-Adjusted Groundwater Elevations			
Mon. Well / Test Pit	April 17, 2024	April 24, 2024	May 2, 2024	May 9, 2024
TP-1	5.90	6.35	6.88	5.89
TP-6	5.84	6.16	6.47	5.94
TP-7	6.36	6.78	7.24	6.41
TP-9	6.86	7.26	7.78	6.45

The following notes pertain to the Frimpter adjustment process:

- Reported values reflect probable maximum water levels estimated via the Frimpter method (feet, elevation);
- Calculations based on use of the following index well: MA-LTW 104 LEXINGTON, MA (OW<sub>max</sub> = -0.05 ft, OW<sub>r</sub> = 3.81 ft);
- Calculations use 5% exceedance site range value of 7.1 ft (stratified drift, valley setting via USGS SIR 2020-5036, Figure 7); and
- Unadjusted groundwater elevations from a 5/2/24 BSC presentation delivered to the Arlington Conservation Commission and a 5/13/24 email from D. Rinaldi of BSC Group to D. Morgan of the Town of Arlington.

The results presented above are preliminary and based on information made available to MMA as of the indicated transmittal date. MMA therefore reserves the right to amend and/or extend the results based on expanded review and/or review of new information.

Sincerely,

A handwritten signature in black ink, appearing to be 'MAM' followed by a stylized flourish.

Michael Mobile, Ph.D., CGWP  
President, McDonald Morrissey Associates, LLC

MAM/

Z:\1\_Projects\Arlington\Thorndike\_Place\7\_Reports\_and\_Memos\FINAL\_Frimpter\_APR\_MAY\_Levels\_5-16-24.docx

**Scott Horsley**  
**Water Resources Consultant**  
65 Little Road • Cotuit, MA 02635 • 508-364-7818

May 16, 2024

Mr. Charles Tirone, Chairperson  
Town of Arlington  
Conservation Commission  
730 Massachusetts Avenue  
Arlington, MA 02476

RE: Thorndike Place

Dear Chairperson Tirone and Conservation Commissioners:

I have reviewed the recent update report prepared by BSC, dated April 24, 2024 and offer the following comments. We continue to disagree with the suggested use of 4.0 feet as an appropriate seasonal high groundwater level and believe that the on-site measurements provided by BSC need to be supplemented with a comparison with USGS index wells as recommended in the MADEP Stormwater Handbook.

]

We also disagree with the groundwater mounding method utilized by BSC and believe that it significantly underestimates the impacts associated with the project. As stated previously, they have expanded the analysis period to 24 hours but are not evaluating the actual proposed volume of infiltration. We have conferred with MADEP on this matter and have attached correspondence which we believe indicates that our concerns are warranted (see attachments to letter).

### **1. Seasonal High Groundwater**

The MADEP Stormwater Handbook requires that a minimum of two (2) feet vertical separation exists beneath the stormwater infiltration system and the seasonal high groundwater elevation. There are two accepted methods discussed in the Handbook to determine the seasonal high groundwater elevation (see Figure 1). Redoxymorphic features, otherwise known as “redox” are visible staining of soils that are generally considered to be representative of a high groundwater condition. However, no reliable redox features were observed in the area of the large infiltration system by BSC. In areas where redox features are not available such as the proposed infiltration system the MADEP Stormwater Handbook recommends the installation of wells, measurement of water levels in the spring months, and comparison to nearby USGS monitoring wells (see excerpt below). Note also that the Handbook defines seasonal high groundwater as the “highest” groundwater elevation.

*Determining Seasonal High Groundwater*

Seasonal high groundwater represents the highest groundwater elevation. Depth to seasonal high groundwater may be identified based on redox features in the soil (see Fletcher and Venneman listed in References). When redox features are not available, installation of temporary push point wells or piezometers should be considered. Ideally, such wells should be monitored in the spring when groundwater is highest and results compared to nearby groundwater wells monitored by the USGS to estimate whether regional groundwater is below normal, normal or above normal (see: <http://ma.water.usgs.gov>).

Figure 1 – Excerpt from MADEP Stormwater Handbook, Volume 3, Chapter 1

According to the recent BSC report (April 24, 2024) a groundwater elevation of 3.78 feet was recorded at the TP-9 location on April 24 (see Table 1).

Table 1 – Water Level Measurements (BSC, April 24, 2024)

Test Pit/Well	Groundwater Elevation		
	April 1, 2024	April 17, 2024	April 24, 2024
TP-1	2.94	3.01	2.87
TP-6	3.00	2.95	2.68
TP-7	3.41	3.47	3.30
TP-9	n/a	n/a	3.78

In accordance with the MADEP Stormwater Handbook we have compared this groundwater level measurement with the USGS Lexington well (see figure 2)<sup>1</sup>. The records for this USGS well indicate that the water level on April 24, 2024 was 1.84 lower than the highest recording in 2009.

## Ma-ltw 104 Lexington, MA - 422627071154002

October 1, 2009 - May 13, 2024

Depth to water level, feet below land surface

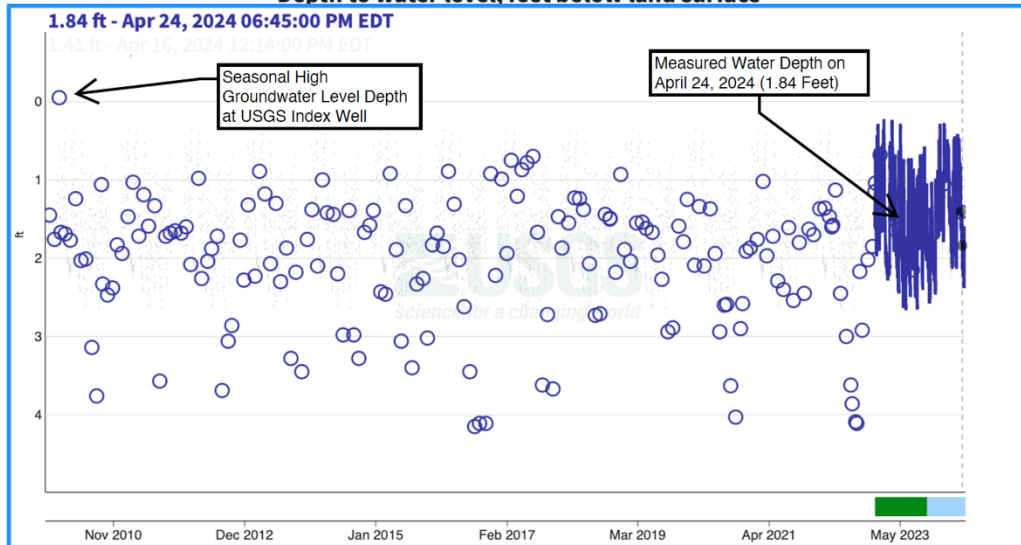


Figure 2 – USGS Index Well Lexington (2009 – Present)

<sup>1</sup> The USGS Lexington well was measured manually until the beginning of 2022 when a pressure transducer was installed to make continuous measurements (every 15 minutes). The open circles on the graph represent discrete manual measurements. The solid line represents the more recent continuous measurements.

The shorter-term water level records at the USGS Lexington well provide a comparison between the BSC measurement on April 24, 2024 that indicates that it is approximately 1.4 feet lower than measurements just a month earlier in March 2024 (see figure 3). This comparison shows that groundwater levels peaked in late March and early April but then declined by 1.4 feet to April 24 (the date that BSC did the measurement).

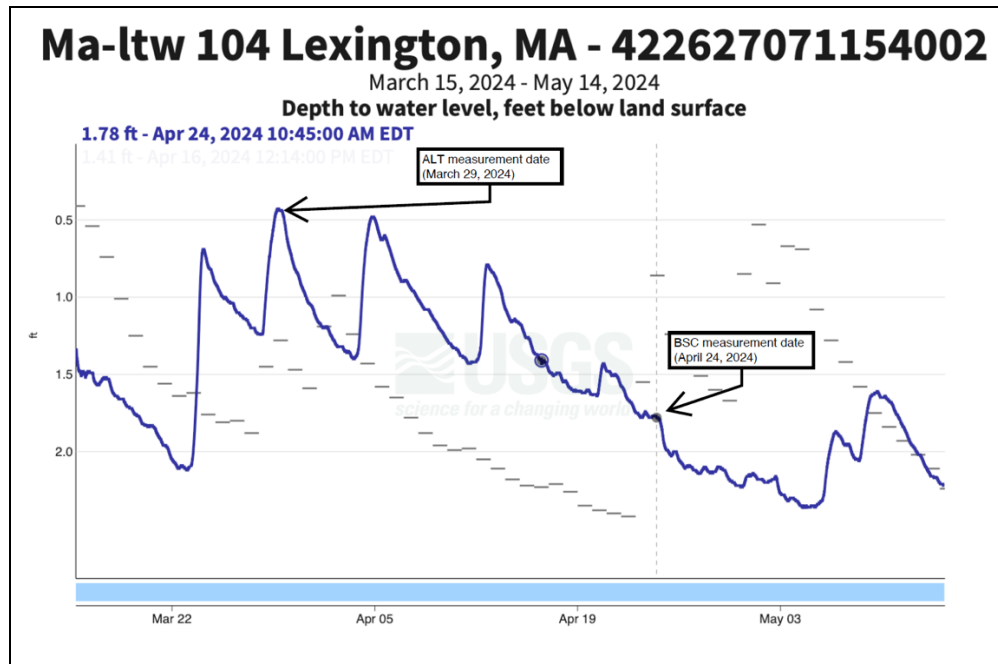
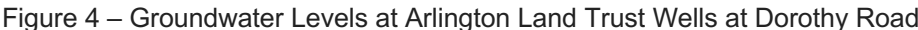


Figure 3 – USGS Lexington Well March – May 2024

This same decline in groundwater levels is further corroborated with our own water level measurements at the Arlington Land Trust well located on Dorothy Road which showed a peak elevation on March 29, 2024 and a similar decline throughout much of April to a level of approximately 1.2 feet lower on April 24 (see figure 4)<sup>2</sup>. This suggests that the relative groundwater level fluctuations over this period are consistent with the USGS Lexington well (which showed a 1.4-foot decline during this same period).

<sup>2</sup> The water level measurements in the ALT wells were made using a calibrated pressure transducer which take measurements every 15 minutes.



Another method that is commonly used to evaluate and adjust measured groundwater levels to estimate the required “seasonal high groundwater” condition is the Frimpter Method developed by the United States Geological Survey (USGS). Dr. Michael Mobile has performed the Frimpter method calculations using the BSC water level measurements<sup>3</sup>.

In summary, we have evaluated three methods to estimate seasonal high groundwater elevations at the project site. These methods are summarized in Table 2. The first method estimates the “highest” groundwater level based upon the long-term observations in the USGS Lexington well (2009 – 2024). The second method applies the documented short-term water level changes (March to April 2024) and provides a minimal adjustment value representative of this year only. The third method applies the “Frimpter Method” which provides a statistical method to integrate seasonal water level changes at the USGS Lexington well over the period of record.

### Table 2 – Estimated Seasonal High Groundwater Calculations

Groundwater Adjustment Method	TP-9 groundwater level on April 24, 2024 (BSC)	Adjustment (feet)	Estimated Seasonal High Groundwater Elevation (feet)
USGS Lexington well (2009 - Present)	3.78	1.84	5.62
USGS Lexington well (spring 2024)	3.78	1.4	5.18
USGS Frimpter Method	3.78	3.48	7.26

<sup>3</sup> Letter from Dr. Michael Mobile, McDonald Morrissey Associates, dated May 16, 2024

## 2. Groundwater Mounding

We have reviewed the revised groundwater mounding report. They have agreed to extend the analysis period to 24 hours to match the design storm duration (as we recommended). However, they are limiting the analysis to a smaller volume of stormwater than they actually propose to infiltrate. This analysis significantly underestimates the impacts of the project.

The purpose of the groundwater mounding analysis is two-fold: 1) to determine if the infiltration system can function hydraulically (and does not become inundated during the storm events) and 2) to avoid impacts (including water level changes) to adjacent wetlands/water bodies and to neighboring properties.

The MADEP Stormwater Standards require a minimum amount of stormwater infiltration. This is referred to as the "required volume". The minimum, based upon the soil type in this case, is 0.25 inches. In this project the Applicant is proposing to infiltrate 1.5 inches<sup>4</sup>. This is six times greater than the minimum (required) volume.

However, BSC is limiting the groundwater mounding analysis to the minimum "required volume" (for example 0.25 inches x impervious surfaces for "C" soils) even though the proposed design for the project is to infiltrate a significantly greater volume (for example 1.5 inches x impervious surfaces).

In my opinion limiting the groundwater mounding analysis to the smaller (minimum required) volume will underestimate the groundwater mounding impacts associated with the actual proposed infiltration volume.

There are several problems with limiting the analysis to the smaller, minimum required volume (rather than what is actually designed and proposed) as follows:

1. the analysis will not determine actual groundwater mounding rises beneath the infiltration system to see if the system is inundated during the design storms.
2. if the system does become inundated, it will increase overflows that are not accounted for in the Stormwater Standard 2 (peak flows analysis).
3. the analysis will underestimate water level changes in adjacent wetlands and at neighboring properties.

Thank you for the opportunity to provide these comments. Please contact me directly with any questions that you might have.

Sincerely,



Scott W. Horsley  
Water Resources Consultant

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<sup>4</sup> The BSC Stormwater Report provides calculation for the "required" and "provided" infiltration volumes. To determine the physical size of the infiltration structures the "required" value of 0.25 inches is multiplied by the impervious area (78,629 square feet) which yields a value of 1638 cubic feet (see attachment to this letter). The Report indicates the "provided" volume is 9747 cubic feet. This "provided" or proposed volume is 5.95 larger than the "required volume. This is a significantly higher volume of stormwater going into the ground compared to existing conditions and will result in substantially higher groundwater levels beneath and adjacent to the infiltration systems.

**Clark, Elizabeth (DEP)**

to me, Michael ▾

Mon, May 6, 8:09 AM (10 days ago)



Good Morning Scott and Mike,

The mounding analysis for stormwater recharge is required when there is less than 4 feet of vertical separation AND the recharge system is being proposed to attenuate the peak discharge from a 10-year or higher 24-hour storm. If those conditions exist, then the mounding analysis should be based on the return period of the specific storm the recharge system is designed to attenuate (i.e. if the recharge system is being designed to attenuate runoff from the 100-year storm and there is less than 4 feet of vertical separation, the 100-year storm should be used to evaluate the mounding potential). This is to evaluate if the groundwater mound could impact the infiltration structure's capacity and ability to dewater within 72-hours.

You are also correct that by underrepresenting the volume of infiltration limits that analysis' ability to evaluate the impacts that may occur to nearby wetlands, slopes, or structures.

This email is only intended to respond to your question generally. If there is a Notice of Intent already filed in connection with this question pursuant to the Massachusetts Wetlands Protection Act and regulations, please be advised that the Wetlands Protection Act provides that the municipal Conservation Commission issues the decisions, and that if there is an appeal, appeals are processed and issued by the MassDEP regional offices, and not the MassDEP Boston office.

Feel free to reach out with any further questions.

Take Care,

Liz Clark, PE  
Stormwater Coordinator  
C: 857-278-9084

**Scott horsley** <scotthorsley208@gmail.com>

to Elizabeth, Michael ▾

May 4, 2024, 10:33 AM (12 days ago)



Liz: Thanks for speaking on the telephone yesterday. I am writing this follow-up email to clarify and summarize my question regarding groundwater mounding analyses for stormwater infiltration systems in reference to Stormwater Handbook, Volume 3, Chapter 1 (excerpt provided below). As I mentioned to you I am providing peer review services to towns and citizen groups on multiple projects.

It is my understanding that for typical development projects the intent of groundwater mounding analysis is two-fold: 1) to determine if the infiltration system can function hydraulically and 2) to avoid impacts to adjacent wetlands/water bodies.

We are seeing that in some cases consulting engineers are limiting the groundwater mounding analysis to the minimum "required volume" (for example 0.25 inches x impervious surfaces for "C" soils) even though the proposed design for the project is to infiltrate a significantly greater volume (for example 1.25 inches x impervious surfaces).

In my opinion limiting the groundwater mounding analysis to the smaller (minimum required) volume will underestimate the groundwater mounding impacts associated with the actual proposed infiltration volume during the design storm events.

Shouldn't the groundwater mounding analysis analyze the actual proposed volume during these design storm events.

There are several problematic implications with limiting the analysis to the smaller, minimum required volume as follows:

1. the analysis will not determine actual groundwater mounding rises beneath the infiltration system to see if the system is inundated during the design storms.
2. if the system does become inundated, it will increase overflows that are not accounted for in the Stormwater Standard 2 (peak flows analysis).
3. the analysis will underestimate water level changes in adjacent wetlands.

Your clarification on this would be most helpful. Thank you in advance. Please feel free to call me with any questions. Scott

P.S. I am copying my colleague, Dr. Micheal Mobile as I know that he has also contacted you on this same issue.

Scott Horsley  
Water Resources Consultant  
<https://www.linkedin.com/in/horsleyscott/>  
Cell: (508)-364-7818



#### Required Recharge Volume

$$Rv = F \times \text{Impervious Area}$$

Where:

Rv = Recharge Volume

F=Target Depth Factor associated with each Hydrologic Soil Group

(F=0.25-inch for Soil Type C)

Impervious Area = Proposed Pavement and Rooftop area on-site

$$Rv = \left( \frac{0.25 \text{ in}}{12} \right) (78,629 \text{ sft}) =$$

$$Rv = 1,638 \text{ cf (required recharge volume)}$$

As not all impervious surfaces are directed to an infiltration BMP, an adjusted Required Volume must be provided. The adjusted Required Volume (Rva) is calculated as:

$$Rva = \frac{\text{Total Imp.Area}}{\text{Imp.Area to BMP}} (Rv) =$$

$$Rva = \left( \frac{78,629 \text{ sft}}{62,920 \text{ sft}} \right) (1,638 \text{ cf}) =$$

$$Rva = 2,047 \text{ cf}$$

#### Storage Provided

- Underground Infiltration System = 9,747 cubic feet provided.  
 Rain garden & duplex infiltration systems not required to meet volume, but provide additional infiltration above and beyond that required.  
 Refer to the HydroCAD storage table provided for more information.

May 29, 2024

Via Email

Chuck Tirone, Co-Chairperson  
Susan Chapnick, Co-Chairperson  
Arlington Conservation Commission  
Robbins Memorial Town Hall  
730 Massachusetts Avenue  
Arlington, MA 02476

**RE: Thorndike Place, Arlington, MA**

Dear Commissioners,

The attached proposal from Hatch was provided to me and BSC's Dom Rinaldi yesterday, May 28, 2024, nearly four weeks after the Commission voted to seek quotes for follow-up peer review.

Hatch's recent proposal has far exceeded the scope of the limited peer review that was requested by the Commission. At the Commission's May 2, 2024, meeting, Commissioner Stevens moved for limited supplemental peer review, to be performed by a Massachusetts licensed civil engineer with experience with the Massachusetts Stormwater Handbook to review BSC's stormwater system design for compliance with the Massachusetts Stormwater Handbook, notably Standards 2 and 3. Commissioner Stevens specifically clarified that the limited peer review not include federal regulations.

In contrast with those specific confines, the recent Hatch proposal (\$8,850) exceeds the scope and likewise includes members of the project review team who are either a) not civil engineers or b) not licensed in the Commonwealth. It appears that only one individual on the proposed team, Mr. Kenneally, meets the qualifications required by the Commission. Aside from this discrepancy, the stated scope of the proposed peer review is also contrary to that which the Commission voted on; the Hatch proposal includes both a review of federal regulations and an undefined "stormwater engineering best management practices."

Given Hatch's prior opportunity to review the project - for which the Applicant has already incurred \$10,700 for such peer review<sup>1</sup> - Hatch's latest proposal of \$8,850 is excessive. By its peer review report of Jan. 23, 2024, and Mr. Mullins' follow-up emails in March 2024, it is clear that Hatch has already familiarized itself with the project, has provided feedback under the Stormwater Standards and, as stated in Hatch's email of March 22, 2024, Mr. Mullen has confirmed that in his professional opinion the Applicant

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<sup>1</sup> This sum does not include the separate SWCA peer review fee of \$5,425.

had determined Estimated Seasonal Groundwater in accordance with the MassDEP Stormwater Standards and Handbook.

The only new information presented to the Commission by the Applicant since that time includes BSC's additional readings in March, April and May 2024 (including the newly installed well) and the updated mounding analysis. Should Hatch seek to submit a corrected proposal in the immediate future, it should adhere to the requirements as voted by the Commission. Thank you for your attention to this time-sensitive matter.

Regards,

*/s/ Stephanie A. Kiefer*

Stephanie Kiefer

Encl.

5/22/2024

David Morgan, Environmental Planner + Conservation Agent  
Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476

**Subject: Proposal for Stormwater Review of the Thorndike Place**

Dear: David,

The attached Offer for Engineering and Consultancy Services outlines the scope, approach to be used to complete the project, the deliverables, and our commercial offer.

The overall cost is estimated to be \$8,850 on a lump sum basis. Hatch will perform the work outlined in this Offer for Engineering and Consultancy Services in accordance with the attached Schedule of Rates and Professional Services Terms and Conditions. This letter, the Statement of Work, Hatch Standard Terms and Conditions and Hatch Schedule of Rates form the whole agreement between Town of Arlington and Hatch.

If this offer is acceptable to Town of Arlington, please sign the attached Acceptance and we can mobilize the team to start to undertake this work for you. If you would like to meet with me to clarify and further discuss any aspect of this offer, please call me at 617-721-3292.

Yours faithfully,



Duke Bitsko

DB:DB  
Ref.: Document1  
Attachment(s)

cc: Ross Mullen  
Rob Kenneally

## OFFER FOR ENGINEERING AND CONSULTANCY SERVICES for Proposal for Stormwater Review of the Thorndike Place

**05/22/2024**

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<b>Client Name:</b>	Town of Arlington
<b>Project Name:</b>	Stormwater Review of the Thorndike Place
<b>Client Contact:</b>	David Morgan, Environmental Planner + Conservation Agent
<b>Hatch Contact:</b>	Duke Bitsko
<b>Project Number:</b>	H373095, Rev. A
<b>Estimated Start Date:</b>	May 21, 2024
<b>Estimated Completion Date:</b>	June 13, 2024
<b>Cost Basis:</b>	Reimbursable Costs Basis
<b>Project Estimate:</b>	\$8,850

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### Introduction

This proposal is in response to a request for additional engineering services for stormwater review of the Thorndike Place emailed to Rob Kenneally on May 16, 2024.

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### Scope of Work

Hatch proposes to complete a peer review of the proposed Thorndike Place development in accordance with the Massachusetts Stormwater Standards, the Code of Federal Regulations, and stormwater engineering best management practices. Our review will review the drawings and stormwater report with supporting technical calculation package. The review will include review of:

- Stormwater management facilities and technical calculations, including rate control, water quality analysis, and volume management/groundwater recharge.
- FEMA floodplain/floodway encroachments, compensatory storage, and CLOMR/LOMR/no-rise documentation.
- Best management practices for placement and use of Erosion and Sediment Controls including review of the SWPPP.
- Wetlands impacts due to construction disturbance and/or hydrologic inflow changes, mitigation/remediation of impacts and/or offsets, and provided buffers zones.
- Proposed Operation & Maintenance plan, including review of best practices for adoption such recording of stormwater practices on the plat and/or in storm maintenance agreement with the Town.

Our review will include an initial memorandum documenting our background document review, engineering review findings, as well as recommendations for approval, conditional approval, recommended site modification, or denial of the proposed development. We will respond to and/or review one additional submittal package from the applicant following the initial memorandum and attend 1 meeting via Zoom.

#### **Assumptions/Exclusions:**

- Wetland delineations, classifications, and characterizations are excluded from this proposal.
- Zoom meeting attendance is limited to a project reference and called upon on an as-needed basis. Hatch has budgeted for 2 hours of staff attendance at each meeting and has not included hours necessary for presentation preparation for meetings. We assume this meeting will occur on or before June 6, 2024.

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## **Execution Plan**

The proposed scope of work will be undertaken within a **four-week period** following receiving the authorization to proceed and being provided access to all of the data required for the task.

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## Hatch Project Team

The following is the proposed project team. Complete resumes can be made available upon request.



### DUKE BITSKO, PLA

#### Principal In Charge

Duke Bitsko has more than 25 years of experience in program and project management, master planning, permitting, and design with an emphasis on context sensitive, sustainable design. His relevant experience includes ecological restoration, bioengineering, Green Infrastructure, and climate resiliency at the site scale. His recent work in Arlington includes Wellington Park, Spy Pond Shoreline Restoration, Egerton Road bioretention basins, and Cooke's Hollow. He has developed long-term Vegetation Management Plans for the Alewife Reservation, Fresh Pond Reservation, Wellington Park, and Spy Pond Park, working with managers over time to apply Adaptive Management principles. He has been a conservation commissioner in Lexington for 23 year.



### ROB KENNEALLY, PE

#### Senior Project Engineer

Rob Kenneally has over 30 years of experience with increasing responsibilities as a civil/site design engineer and project manager. His technical background includes geotechnical engineering, hydrologic/hydraulic analysis, and civil site development. He has applied his technical expertise and project management experience on projects that range from the design and construction of stormwater management projects, management of landfill closures, to the construction of sewer mains utilizing hard rock and soft ground tunneling techniques, and to various subsurface site investigations involving environmental and geotechnical investigations.



### ROSS MULLEN, PE, CFM

#### Water Resources Engineer

Ross recently joined Hatch as a Water Resources Engineer with over a decade of experience as a consulting engineer. His primary expertise is in hydrologic and hydraulic modeling, stormwater management, floodplain management, erosion and sediment management, urban water quality studies, stream restoration, and design of hydraulic structures. Ross previously served as the designated stormwater reviewer and engineering consultant for a 7-member city watershed.

## Commercial Offer

### Overview

Hatch is pleased to provide the following commercial offer to the Town of Arlington for the professional services (the “Services”) detailed herein.

### Pricing

Hatch proposes to perform the Services for a price of USD \$8,525 on a on a lump sum price basis, exclusive of adjustments for variations. Approved variations will be performed on a lump sum basis in accordance with mutually agreed change procedures. An overview of this offer is provided in the Table 1.

Table 1: Estimated Breakdown of the Cost Estimate

Task	Level of Effort (hrs)	Total (\$)
Desktop Stormwater Review	28	\$8,225
Attend one (1) Zoom Meeting	2	\$530
<b>TOTAL ESTIMATED COST:</b>	<b>30</b>	<b>\$8,850</b>

### Basis of Compensation

As full compensation for the services, Hatch will be paid the sum of all lump sum billings incurred in the execution of the services.

### Invoicing & Payment

Hatch proposes the following milestones for payment of the Lump Sum price following completion of the scope of work. Payment terms are net 30 days from date of issuance of invoice.

Hatch reserves the right to modify the payment milestones based on changes to the schedule or as mutually agreed to between Hatch and Town of Arlington.

### Additional Services

If additional scope is needed, then Hatch will prepare a Project Change Authorization (PCA) which will provide an estimate of cost of the change and once agreed to and signed, Hatch will commence the work on this scope addition.

### Contract Terms and Conditions

Hatch will perform the Services detailed in this offer in accordance with the Professional Services Terms and Conditions included in Attachment A, on which this proposal has been expressly based.



David Morgan, Environmental  
Planner + Conservation Agent  
Town of Arlington  
10/31/2023

Project Unnumbered, Rev. A

Validity

This offer remains valid for a period of 90 days from the date of this letter and is subject to a contract being signed and effective prior to the start.

Acceptance of Offer

Town of Arlington accepts this proposal and requests Hatch to undertake the assignment as detailed above.

Signed on behalf of Hatch by:

Signed on behalf of Town of Arlington by:



Name: Duke Bitsko, PLA  
Title: Director of Interdisciplinary Design  
Date: 05/22/2024

Name:   
Title:   
Date:

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## Attachment A – Schedule of Rates



## Town of Arlington, Massachusetts

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### 34 Dudley Street Enforcement.

#### Summary:

34 Dudley Street Enforcement.

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	34_Dudley_- _Second_Draft_Restoration_Plan.pdf	34 Dudley - Second Draft Restoration Plan.pdf



101 Walnut Street  
PO Box 9151  
Watertown, MA 02471  
617.924.1770

Planting Notes

1.

ALL PROPOSED PLANTING LOCATIONS SHALL BE STAKED AS SHOWN ON THE PLANS FOR FIELD REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
2.

CONTRACTOR SHALL VERIFY LOCATIONS OF ALL BELOW GRADE AND ABOVE GROUND UTILITIES AND NOTIFY OWNERS REPRESENTATIVE OF CONFLICTS.
3.

NO PLANT MATERIALS SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA. CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE OF ANY CONFLICT.
4.

A 3-INCH DEEP MULCH PER SPECIFICATION SHALL BE INSTALLED UNDER ALL TREES AND SHRUBS, AND IN ALL PLANTING BEDS, UNLESS OTHERWISE INDICATED ON THE PLANS, OR AS DIRECTED BY OWNER'S REPRESENTATIVE.
5.

ALL TREES SHALL BE BALLED AND BURLAPPED, UNLESS OTHERWISE NOTED IN THE DRAWINGS OR SPECIFICATION, OR APPROVED BY THE OWNER'S REPRESENTATIVE.
6.

FINAL QUANTITY FOR EACH PLANT TYPE SHALL BE AS GRAPHICALLY SHOWN ON THE PLAN. THIS NUMBER SHALL TAKE PRECEDENCE IN CASE OF ANY DISCREPANCY BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND ON THE PLAN. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLANT LIST AND PLANT LABELS PRIOR TO BIDDING.
7.

ANY PROPOSED PLANT SUBSTITUTIONS MUST BE REVIEWED BY LANDSCAPE ARCHITECT AND APPROVED IN WRITING BY THE OWNER'S REPRESENTATIVE.
8.

ALL PLANT MATERIALS INSTALLED SHALL MEET THE SPECIFICATIONS OF THE "AMERICAN STANDARDS FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN AND CONTRACT DOCUMENTS.
9.

ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR FOLLOWING DATE OF FINAL ACCEPTANCE.
10.

AREAS DESIGNATED "LOAM & SEED" SHALL RECEIVE MINIMUM 6" OF LOAM AND SPECIFIED SEED MIX. LAWNS OVER 2:1 SLOPE SHALL BE PROTECTED WITH EROSION CONTROL FABRIC.
11.

ALL DISTURBED AREAS NOT OTHERWISE NOTED ON CONTRACT DOCUMENTS SHALL BE LOAM AND SEEDED OR MULCHED AS DIRECTED BY OWNERS REPRESENTATIVE.
12.

THIS PLAN IS INTENDED FOR PLANTING PURPOSES. REFER TO SITE / CIVIL DRAWINGS FOR ALL OTHER SITE CONSTRUCTION INFORMATION.

Plant Maintenance Notes

1.

CONTRACTOR SHALL PROVIDE COMPLETE MAINTENANCE OF THE LAWNS AND PLANTINGS. NO IRRIGATION IS PROPOSED FOR THIS SITE. THE CONTRACTOR SHALL SUPPLY SUPPLEMENTAL WATERING FOR NEW LAWNS AND PLANTINGS DURING THE ONE YEAR PLANT GUARANTEE PERIOD.
2.

CONTRACTOR SHALL PROVIDE ALL MATERIALS, LABOR, AND EQUIPMENT FOR THE COMPLETE LANDSCAPE MAINTENANCE WORK. WATER SHALL BE PROVIDED BY THE CONTRACTOR.
3.

WATERING SHALL BE REQUIRED DURING THE GROWING SEASON, WHEN NATURAL RAINFALL IS BELOW ONE INCH PER WEEK.
4.

WATER SHALL BE APPLIED IN SUFFICIENT QUANTITY TO THOROUGHLY SATURATE THE SOIL IN THE ROOT ZONE OF EACH PLANT.
5.

CONTRACTOR SHALL REPLACE DEAD OR DYING PLANTS AT THE END OF THE ONE YEAR GUARANTEE PERIOD. CONTRACTOR SHALL TURN OVER MAINTENANCE TO THE FACILITY MAINTENANCE STAFF AT THAT TIME.

Seed Mixtures:

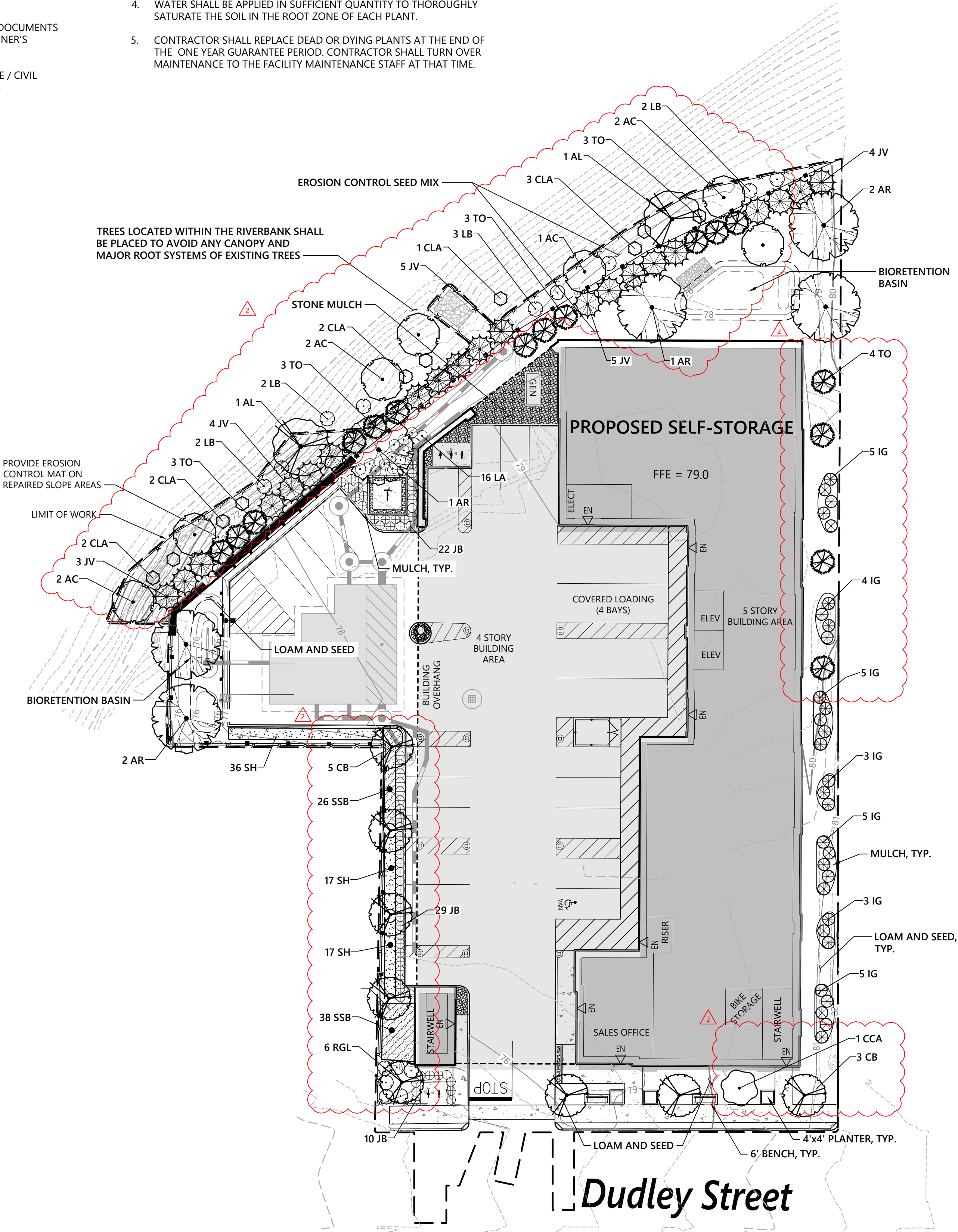
1.

AREAS INDICATED AS "BIORETENTION BASIN" ARE TO BE SEEDED WITH NEW ENGLAND EROSION CONTROL / RESTORATION MIX FOR DETENTION PONDS AND MOIST AREAS, AS MANUFACTURED BY NEW ENGLAND WETLAND PLANTS, INC. AMHERST, MA (413) 548-8000, www.NEWP.com,OR AN APPROVED EQUAL. APPLY IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
2.

AREAS INDICATED AS "EROSION CONTROL SEED MIX" ARE TO BE SEEDED WITH NEW ENGLAND CONSERVATION EROSION CONTROL/RESTORATION MIX FOR DRY SITES, AS MANUFACTURED BY NEW ENGLAND WETLAND PLANTS, INC. AMHERST, MA (413) 548-8000, www.NEWP.com,OR AN APPROVED EQUAL. APPLY IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.

PLANT SCHEDULE

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	
DECIDUOUS TREES					
AR	6	Acer rubrum	Red Maple	2 1/2 - 3" CAL.	
CB	8	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbeam	2 1/2 - 3" CAL.	
EVERGREEN TREES					
JV	21	Juniperus virginiana	Eastern Redcedar	6 - 7' HT.	
TO	16	Thuja occidentalis 'Nigra'	Dark American Arborvitae	5 - 6' HT.	
FLOWERING TREES					
AC	7	Amelanchier canadensis	Shadblow Serviceberry - multi-stem	8 - 10' HT.	
AL	2	Amelanchier laevis	Allegheny Serviceberry	2 1/2 - 3" CAL.	
CCA	1	Cercis canadensis 'Ace of Hearts'	Ace of Hearts Eastern Redbud	2 1/2 - 3" CAL.	
SHRUBS					
CLA	10	Clethra alnifolia	Summersweet	18 - 24" SPD	
IG	30	Ilex glabra	Inkberry	2 - 3' HT.	
JB	61	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Creeping Juniper	18 - 24" SPD	
LA	16	Leucothoe axillaris	Coastal Leucothoe	18 - 24" SPD	
LB	9	Lindera benzoin	Spicebush	18 - 24" SPD	
RGL	6	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	18 - 24" SPD	
ORNAMENTAL GRASSES					
SSB	64	Schizachyrium scoparium	Little Bluestem Grass	2 GAL.	24" o.c.
SH	70	Sporobolus heterolepis	Prairie Dropseed	2 GAL.	24" o.c.



Proposed Self-Storage Facility

34 Dudley St  
Arlington, Massachusetts 02476

No.	Revision	Date	Appr'd.
1	RESTORATION PLAN UPDATES	5/9/2024	ERB
2	RESTORATION PLAN UPDATES	5/29/2024	ERB

Designed by	SJH	Checked by	EKG
Issued for	Construction	Date	December 14, 2023

Planting Plan

Drawing Number

L1.01

Sheet 9 of 10

Project Number  
52816.00





## **Town of Arlington, Massachusetts**

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### **Park & Recreation Commission Liaison.**

#### **Summary:**

Park & Recreation Commission Liaison.

Next meeting 6/11/24, Chuck Tirone to attend



## Town of Arlington, Massachusetts

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### DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 5/16/2024).

#### Summary:

DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 5/16/2024).

The Conservation Commission will hold a public hearing under the Wetlands Protection Act to consider a Notice of Intent for the construction of Thorndike Place, a multifamily development on Dorothy Road in Arlington. The Commission will consider proposal(s) for peer review.

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Thorndike_Place_-_Peer_Review_-_Hatch_Proposal.pdf	Thorndike Place - Peer Review - Hatch Proposal
▢	Reference Material	Thorndike_Place_-_Peer_Review_-_Stormwater_Review_-_Hatch.pdf	Thorndike Place - Peer Review - Stormwater Review - Hatch.pdf

5/22/2024

David Morgan, Environmental Planner + Conservation Agent  
Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476

**Subject: Proposal for Stormwater Review of the Thorndike Place**

Dear: David,

The attached Offer for Engineering and Consultancy Services outlines the scope, approach to be used to complete the project, the deliverables, and our commercial offer.

The overall cost is estimated to be \$8,850 on a lump sum basis. Hatch will perform the work outlined in this Offer for Engineering and Consultancy Services in accordance with the attached Schedule of Rates and Professional Services Terms and Conditions. This letter, the Statement of Work, Hatch Standard Terms and Conditions and Hatch Schedule of Rates form the whole agreement between Town of Arlington and Hatch.

If this offer is acceptable to Town of Arlington, please sign the attached Acceptance and we can mobilize the team to start to undertake this work for you. If you would like to meet with me to clarify and further discuss any aspect of this offer, please call me at 617-721-3292.

Yours faithfully,



Duke Bitsko

DB:DB  
Ref.: Document1  
Attachment(s)

cc: Ross Mullen  
Rob Kenneally

## OFFER FOR ENGINEERING AND CONSULTANCY SERVICES for Proposal for Stormwater Review of the Thorndike Place

**05/22/2024**

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<b>Client Name:</b>	Town of Arlington
<b>Project Name:</b>	Stormwater Review of the Thorndike Place
<b>Client Contact:</b>	David Morgan, Environmental Planner + Conservation Agent
<b>Hatch Contact:</b>	Duke Bitsko
<b>Project Number:</b>	H373095, Rev. A
<b>Estimated Start Date:</b>	May 21, 2024
<b>Estimated Completion Date:</b>	June 13, 2024
<b>Cost Basis:</b>	Reimbursable Costs Basis
<b>Project Estimate:</b>	\$8,850

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### Introduction

This proposal is in response to a request for additional engineering services for stormwater review of the Thorndike Place emailed to Rob Kenneally on May 16, 2024.

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### Scope of Work

Hatch proposes to complete a peer review of the proposed Thorndike Place development in accordance with the Massachusetts Stormwater Standards, the Code of Federal Regulations, and stormwater engineering best management practices. Our review will review the drawings and stormwater report with supporting technical calculation package. The review will include review of:



- Stormwater management facilities and technical calculations, including rate control, water quality analysis, and volume management/groundwater recharge.
- FEMA floodplain/floodway encroachments, compensatory storage, and CLOMR/LOMR/no-rise documentation.
- Best management practices for placement and use of Erosion and Sediment Controls including review of the SWPPP.
- Wetlands impacts due to construction disturbance and/or hydrologic inflow changes, mitigation/remediation of impacts and/or offsets, and provided buffers zones.
- Proposed Operation & Maintenance plan, including review of best practices for adoption such recording of stormwater practices on the plat and/or in storm maintenance agreement with the Town.

Our review will include an initial memorandum documenting our background document review, engineering review findings, as well as recommendations for approval, conditional approval, recommended site modification, or denial of the proposed development. We will respond to and/or review one additional submittal package from the applicant following the initial memorandum and attend 1 meeting via Zoom.

#### **Assumptions/Exclusions:**

- Wetland delineations, classifications, and characterizations are excluded from this proposal.
- Zoom meeting attendance is limited to a project reference and called upon on an as-needed basis. Hatch has budgeted for 2 hours of staff attendance at each meeting and has not included hours necessary for presentation preparation for meetings. We assume this meeting will occur on or before June 6, 2024.

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## **Execution Plan**

The proposed scope of work will be undertaken within a **four-week period** following receiving the authorization to proceed and being provided access to all of the data required for the task.

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## Hatch Project Team

The following is the proposed project team. Complete resumes can be made available upon request.



### DUKE BITSKO, PLA

#### Principal In Charge

Duke Bitsko has more than 25 years of experience in program and project management, master planning, permitting, and design with an emphasis on context sensitive, sustainable design. His relevant experience includes ecological restoration, bioengineering, Green Infrastructure, and climate resiliency at the site scale. His recent work in Arlington includes Wellington Park, Spy Pond Shoreline Restoration, Egerton Road bioretention basins, and Cooke's Hollow. He has developed long-term Vegetation Management Plans for the Alewife Reservation, Fresh Pond Reservation, Wellington Park, and Spy Pond Park, working with managers over time to apply Adaptive Management principles. He has been a conservation commissioner in Lexington for 23 year.



### ROB KENNEALLY, PE

#### Senior Project Engineer

Rob Kenneally has over 30 years of experience with increasing responsibilities as a civil/site design engineer and project manager. His technical background includes geotechnical engineering, hydrologic/hydraulic analysis, and civil site development. He has applied his technical expertise and project management experience on projects that range from the design and construction of stormwater management projects, management of landfill closures, to the construction of sewer mains utilizing hard rock and soft ground tunneling techniques, and to various subsurface site investigations involving environmental and geotechnical investigations.



### ROSS MULLEN, PE, CFM

#### Water Resources Engineer

Ross recently joined Hatch as a Water Resources Engineer with over a decade of experience as a consulting engineer. His primary expertise is in hydrologic and hydraulic modeling, stormwater management, floodplain management, erosion and sediment management, urban water quality studies, stream restoration, and design of hydraulic structures. Ross previously served as the designated stormwater reviewer and engineering consultant for a 7-member city watershed.

## Commercial Offer

### Overview

Hatch is pleased to provide the following commercial offer to the Town of Arlington for the professional services (the “Services”) detailed herein.

### Pricing

Hatch proposes to perform the Services for a price of USD \$8,525 on a on a lump sum price basis, exclusive of adjustments for variations. Approved variations will be performed on a lump sum basis in accordance with mutually agreed change procedures. An overview of this offer is provided in the Table 1.

Table 1: Estimated Breakdown of the Cost Estimate

Task	Level of Effort (hrs)	Total (\$)
Desktop Stormwater Review	28	\$8,225
Attend one (1) Zoom Meeting	2	\$530
<b>TOTAL ESTIMATED COST:</b>	<b>30</b>	<b>\$8,850</b>

### Basis of Compensation

As full compensation for the services, Hatch will be paid the sum of all lump sum billings incurred in the execution of the services.

### Invoicing & Payment

Hatch proposes the following milestones for payment of the Lump Sum price following completion of the scope of work. Payment terms are net 30 days from date of issuance of invoice.

Hatch reserves the right to modify the payment milestones based on changes to the schedule or as mutually agreed to between Hatch and Town of Arlington.

### Additional Services

If additional scope is needed, then Hatch will prepare a Project Change Authorization (PCA) which will provide an estimate of cost of the change and once agreed to and signed, Hatch will commence the work on this scope addition.

### Contract Terms and Conditions

Hatch will perform the Services detailed in this offer in accordance with the Professional Services Terms and Conditions included in Attachment A, on which this proposal has been expressly based.

David Morgan, Environmental  
Planner + Conservation Agent  
Town of Arlington  
10/31/2023

Project Unnumbered, Rev. A

Validity

This offer remains valid for a period of 90 days from the date of this letter and is subject to a contract being signed and effective prior to the start.

Acceptance of Offer

Town of Arlington accepts this proposal and requests Hatch to undertake the assignment as detailed above.

Signed on behalf of Hatch by:

Signed on behalf of Town of Arlington by:

Duke Bitsko

Name: Duke Bitsko, PLA  
Title: Director of Interdisciplinary Design  
Date: 05/22/2024

Name:   
Title:   
Date:

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## Attachment A – Schedule of Rates

## Project Memo

H373095

2024-05-28

To: Mr. Ryan Clapp and Mr. David Morgan,  
Environmental Planner + Conservation  
Agent

From: Rob Kenneally, PE  
Elizabeth Adamowicz, PE

cc: Duke Bitsko, Ross Mullen

### Town of Arlington Thorndike Place Stormwater Review

Hatch reviewed the Updated Test Pit Summary Report presented in a letter from BSC Group made March 13, 2024 and the Additional Soil Test Pits and Groundwater Monitoring report dated April 24, 2024. In April 5, additional test pits and additional groundwater monitoring wells were installed. The additional test pits were conducted in or near proposed large infiltration system footprint. The Estimated Seasonal High Groundwater (ESHGW) elevations determined in the additional test pits range from 3.21 to 3.97. The monitoring well observations were conducted on April 1, 17 and 24, with the additional results observed in the first week of May and reported by email from Dominic Rinaldi to David Morgan on May 13, 2024. The results from monitoring wells are relatively consistent and range from 2.74 to 3.78. BSC Group utilizes ESHGW elevation of 4.0 in their stormwater management modeling. Considering results from the recently performed additional test and observations, we agree that elevation 4.0 can be used in the design. The April 24, 2024 Additional Soil Test Pits and Groundwater Monitoring report states that *"This information further confirms that our use of hydrologic soil group (HSG) C soils and a lower infiltration rate than standard for sandy loam is indeed a conservative design."* That statement is consistent with the modeling methodology of Massachusetts Stormwater Handbook (MSWH) and leads us to provide additional comments related to the stormwater management compliance outlined below.

### Standard 3. Stormwater Recharge

1. Required Recharge Volume calculations are performed using "Static" method. This method does not require in-situ hydraulic conductivity rate testing and allows use of the minimum infiltration rate specified by Rawls 1982 (See Table 2.3.3 of the MSWH) for the corresponding NRCS Hydrologic Soil Group (HSG). The soil group can be determined by NRCS Soil Survey and confirmed by the Competent Soil Professional. The project Stormwater Report (last revised September 2023) includes Soil Survey Report identifying on site soils to be *Udorthents, wet substratum*. Hydrologic soil group(HGS) was not assigned by the Soil Survey (Udorthents can be in HSG B or C). Considering "*wet substratum*" and the fact that this is a hydric soil often present in wetlands, we agree with the determination to utilize **HGS C** in the design (per BSC Group Additional Soil Test Pits and Groundwater Monitoring report dated April 24, 2024.)
2. The Required Recharge volume calculations correctly use the Target Depth Factor,  $F=0.25$  inch, for soil type C, obtained from MSWH, table 2.3.2. However, the Saturated Hydraulic Conductivity factor (K) used in the subsequent Drawdown calculations is incorrect. The value used in model was 0.043 ft/hr (0.52 in/hr) corresponds to B type soils. Per the Rawls Rate table 2.3.3, the value of 0.0225 ft/hr (0.27in/hr) should be used in drawdown equation.

If you disagree with any information contained herein, please advise immediately.

H373095-0000-222-030-0001, Rev. A

Page 1  
50 of 162

Applying the corrected factor, the drawdown time is calculated as:

**Table 2.3.3. 1982 Rawls Rates<sup>18</sup>**

Texture Class	NRCS Hydrologic Soil Group (HSG)	Infiltration Rate Inches/Hour
Sand	A	8.27
Loamy Sand	A	2.41
Sandy Loam	B	1.02
Loam	B	0.52
Silt Loam	C	0.27
Sandy Clay Loam	C	0.17
Clay Loam	D	0.09
Silty Clay Loam	D	0.06
Sandy Clay	D	0.05
Silty Clay	D	0.04
Clay	D	0.02

- 57 hours for Pond1P, large infiltration system (30 hours shown in SWM report)
- 116.4 hours for TD2 to TD6, driveway infiltration systems (61 hours shown in SWM report)
- 61 hours for rain garden (32 hours shown in SWM report)

The required drawdown time is 72 hours, and this requirement is met for the large infiltration system and rain garden but not for the driveway trenches. The driveway trench system should be revised to a larger footprint to meet the requirement.

## Groundwater Mounting Analysis

1. We request clarifications and modifications to the Mounting analysis. The recharge (infiltration) rate listed in the printouts from Hantush spreadsheet (pg.167 of the Stormwater Report) is 0.67 in/hr (1.33 ft/day) but on the summary on pg. 166, the hydraulic soil conductivity is shown as 1.04 ft/day or 0.52 in/hr.
  - a. Please explain this inconsistency between the two pages
  - b. As indicated in the previous section of this letter, the infiltration rate for Soil type C of 0.27 in/hr (0.54 ft/day) should be used.
2. Please explain why duration of infiltration period is selected as 36 hours. The MSWH (Volume 3, Chapter 1, pg. 28) states that *“Mounding analysis is required when the vertical separation from the bottom of an exfiltration system to seasonal high groundwater is less than four (4) feet and the recharge system is proposed to attenuate the peak discharge from a 10-year or higher 24-hour storm (e.g., 10-year, 25-year, 50-year, or 100-year 24-hour storm). In such cases, the mounding analysis must demonstrate that the Required Recharge Volume (e.g., infiltration basin storage) is fully dewatered within 72 hours (so the next storm can be stored for exfiltration).”*

## Standard 2. Peak Rate Attenuation

Based on the recently added information and detailed review of the SWM report we provide additional comments related to Standard 2.

1. Stormwater quantity analyses were performed using HydroCad program that is based on the accepted NRCS TR20 methodology. The peak discharge control is provided by the infiltration of

runoff into the ground combined with the stormwater detention within the chambers. The infiltration factor used in the pond routing is 0.52 in/hr which corresponds to soil group B per table 2.3.3. The computations should be revised using soil group C factor of 0.27 in/hr for the large infiltration system (Stormtrap) and driveway systems (R-tanks). That change might affect the size of the system.

2. We understand that based on the recent ESHGW readings, the elevations of the driveway systems are being modified. Please update the plans and the report accordingly.
3. The Peak Rate Attenuation analysis indicate no increase of flow toward Dorothy Road. This is achieved by re-directing all rooftop runoff from six duplex townhouses to the Stormtrap infiltration tank in the back of those buildings. This is an important element of the site stormwater controls. At the building permit stage, it must be verified that all roof drains are properly conveyed to the back of each building.

## Prevention of Flooding

1. We previously commented on a need to maintain proper setback for infiltration systems to building wall. Table RR of the MSWH (Volume 1, Chapter 1, pg. 8) specifies setbacks for Groundwater recharge facilities as 10 ft to 100 ft depending on the type of BMP. While Volume 2, Chapter 2 does not specify setback for the manufactured subsurface structures, these systems function as infiltration trenches and the prescribed setback for them is 20' (table IT-1, Volume 2, Chapter 2, pg. 97). We recommend 20' setback from building is used for the Stormtrap system per infiltration trench standard, and a minimum of 10' is used for the driveway R-tank trenches.
2. We reviewed the Updated Foundation Design Recommendations dated February 28, 2024, prepared by McPhail Associates. This memo provides recommendation for foundation design and excavation support for construction within or near flood zone. We recommend that this memo and other waterproofing guidelines contained in FEMA NFIP Technical Bulletin 10 are required element of the foundation design for all structures in this project.
3. We understand that the floodplain impact areas and the compensatory flood storage areas were reviewed under the Comprehensive Plan review process. However, we would like to clarify site grading within the building notch on the south side of the building. The finished grade elevations along this building walls are proposed to be EL.7.0 with the ground elevations of 6.8 (equal to the 100-yr Base Flood Elevation) being only 2' away from the building walls. This area is labeled as OpenSpace/Flood Storage. Having flood limits so close to the building wall is unconventional and not recommended. FEMA NFIP Technical Bulletin 10 recommends: *"The setback is the distance from the edge of the SFHA to the nearest wall of the basement - the minimum allowable setback distance is 20 feet"*. We recommend a plan modification to comply with the setback distance.

For Rob Kenneally, PE



Elizabeth Adamowicz, PE (MD)





## Town of Arlington, Massachusetts

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**DEP #091-0358: Notice of Intent: 18 Hamilton Road.**

**Summary:**

DEP #091-0358: Notice of Intent: 18 Hamilton Road.

The Conservation Commission will hold a public hearing to consider a Notice of Intent under the Wetlands Protection Act and Arlington Bylaw for Wetlands Protection for the restoration of Bank associated with Spy Pond at 18 Hamilton Street.

**ATTACHMENTS:**

	Type	File Name	Description
▢	Reference Material	18_Hamilton_Road_NOI_Package.pdf	18 Hamilton Road NOI Package.pdf

May 14, 2024

**To:** Susan Chapnick, Chair  
Arlington Conservation Commission  
730 Massachusetts Avenue Annex  
Arlington, MA 02476

**A&M Project #:** 0510-49  
**Re:** Bank Restoration at Spy Pond  
18 Hamilton Road  
Notice of Intent Resubmission  
**DEP No. 091-0358**

**Copy:** Stephen Mangano, Thayer & Associates

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Dear Ms. Chapnick,

After receiving comments back from the Conservation Commission, on behalf of the applicant, Thayer & Associates, Inc, Allen & Major Associates, Inc. (A&M) is pleased to re-submit this Notice of Intent (NOI) to the Arlington Conservation Commission for the bank restoration at Spy Pond along 18 Hamilton Road. As required, this NOI is being filed under the Massachusetts Wetlands Protection Act and its implementing regulations 310 CMR 10.00 and the Arlington Wetlands Protection Bylaw Article 8.

**Existing Conditions:**

The project site is located at 18 Hamilton Road, Arlington, MA, and is identified on the town Assessor's Map as Map 20.A, Block 1, Lot 101 to 508. The project site is currently developed with a 5-story condominium building.

This NOI is required because the project proposes to conduct work within the Bank of the pond, Land Under Water, Priority Habitats, and Zone A of the FEMA Flood Hazard Area.

A review of the latest Massachusetts Natural Heritage Atlas; 15th Edition, reveals that there are no Estimated Habitats, but there are Priority Habitats on-site and directly adjacent to the site. A portion of the site is located within Priority Habitats PH-1381 and is not located in ACEC or Outstanding Resource Water. A MESA determination with conditions has been received and included in this filing.

**Proposed Project:**

In this Notice of Intent (NOI), the proposed project seeks to restore the bank to its original as it has eroded over the years. There is an existing drainage pipe that originally its end was at the edge of the bank. It is now shown to be exposed for over a foot in length. The proposed project is to restore the bank to its original location and provide erosion control measures to minimize future erosion.

**Enclosed are:**

- For the Conservation Agent
  - ☐ One electronic copy of the full filing
  - ☐ One printed copy of the full filing
- For the Conservation Commission
  - ☐ One printed copy of the full filing packaged with postage for shipping within Arlington.
  - ☐ Three full size copies of all submitted plans, each packaged with postage for shipping within Arlington
- For the Massachusetts Department of Environmental Protection
  - ☐ One printed copy of the full filing packaged to be sent by courier.

**Fees**

- Two checks in the amount of \$350.00 for the Town of Arlington NOI Application fee and \$262.50 for the Town share of the MA DEP NOI Application.
- A check in the amount of \$427.50 was sent to the MA DEP for the State's share of the MA DEP NOI Application fee in January of this year.

Two weeks before the public hearing, the locations of the limit of work and the erosion controls will be marked with stakes or flags, using different colors and labels for different features. Per the conditions of the MESA determination, a botanist will survey the area for the threatened plant species in the limits of work.

A copy of the entire NOI package has also been submitted to the DEP Northeast Regional Office. The previous submission was sent to NHESP, and we have received their determination which is included in this package. A&M looks forward to discussing the project at the next public hearing. Thank you for your time and consideration. If you have any questions regarding this submittal, please contact me at (781) 305-9432.

Very Truly Yours,

**ALLEN & MAJOR ASSOCIATES, INC.**



Jacqui Trainer, PLA  
Landscape Architect | Project Manager

Enclosure

## CHECKLIST

- ✓ ☒ [Wetlands Protection Act Form 3](#)
- ✓ ☒ Plan of the proposed work showing, at minimum, all the applicable following details:
  - Property boundaries, easements, rights-of-way, etc.
  - Boundaries of 25-ft, 50-ft, and 100-ft from all resource areas
  - Boundaries of the 100-ft Wetlands Buffer Zone and Adjacent Upland Resource Area
  - Boundaries of the 200-ft Riverfront Area Buffer Zone
  - Base flood elevation or floodplain boundaries
  - Soil characteristics
  - Existing and proposed topography, structures, and other physical features
  - Erosion controls
- ✓ ☒ [Topographic map of the site](#) (Click Layers >> Elevation)
- ✓ ☒ [FEMA floodplain map of the site](#)
- ✓ ☒ Certified list of abutters requested from [the Arlington Assessor's Office](#)
- ✓ ☒ [Bylaw Filing Fees and Transmittal Form](#)
- ✓ ☒ Bylaw filing fee made payable to the Town of Arlington
- ✓ ☒ [State Filing Fee Calculation Worksheet](#)
- ✓ ☒ State filing fee checks: one made payable to the Commonwealth of Massachusetts, the other to the Town of Arlington
- ✓ ☒ [Completed abutter notification form letter](#)
  - The Conservation Agent will provide you with the date of your hearing.
- ✓ ☒ [Signed Affidavit of Service](#)
- ✓ ☒ Project narrative describing in detail the proposed work, its location, and wetland resource area impacts. The narrative should address all the applicable following details:
  - ✓ ☒ Status of the [Estimated Habitat of Rare Wildlife and/or Priority Habitats of Rare Species](#)
  - N/A ☐ Stormwater and drainage reports, including how designs conform to the [Arlington Engineering Division's Stormwater Management Standards](#) and the [Department of Environmental Protection's Stormwater Management Standards](#)
    - NOAA Atlas 14+ shall be used for analysis of the 10-, 50-, and 100-year storms.
    - Include a table showing total impermeable surface and total permeable surface before and after construction.
  - N/A ☐ Conformance with US Army Corps of Engineers permit requirements.

Additional details may be required by the Conservation Commission, Department of Environmental Protection, or both.

- N/A ☐ 401 Water Quality Certification
- N/A ☐ Chapter 91 License



# NOTICE OF INTENT

Bank Restoration at Spy Pond

Arlington, MA

DEP #091-0358

Prepared: January 31, 2024 Revised: May 14, 2024



*Site Locus*

**CLIENT:**

Spy Pond Condominium Association  
c/o Thayer & Associates, Inc.  
Stephen Mangano  
1812 Massachusetts Avenue  
Cambridge, MA 02140

**PREPARED BY:**

Allen & Major Associates, Inc.  
100 Commerce Way, Suite 5  
Woburn, Massachusetts 01801



## **NOTICE OF INTENT**

Bank Restoration at Spy Pond  
Arlington, MA

### **PROPONENT:**

Spy Pond Condominium Association  
c/o Thayer & Associates, Inc.  
Stephen Mangano  
1812 Massachusetts Avenue  
Cambridge, MA 02140

### **PREPARED BY:**

Allen & Major Associates, Inc.  
100 Commerce Way, Suite 5  
Woburn, Massachusetts 01801

### **ISSUED:**

January 31, 2024

### **REVISED:**

May 14, 2024

### **A&M PROJECT NO.:**

0150-49

### **DEP NO.:**

091-0358



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## SECTION 1.0

**NOI APPLICATION & WPA FORM 3**





## **PROJECT NARRATIVE**

### **Existing Conditions**

The project site is located at 18 Hamilton Road, Arlington, MA, and is identified on the Town Assessor's Map as Map 20.A, Block 1, Lot 101 to 508. The project site is currently developed with a 5-story condominium building. The site is 36,141+/- square feet (0.83+/- acres).

The lot is bordered by Spy Pond, Minuteman Commuter Bikeway, and various residential properties.

The site topography has an elevation of 4 at the water's edge and gently sloping to elevation 8 at the eastern side of the building.

There was similar bank stabilization work done in the area along all of Spy Pond Condominium's pond edge in the early 1990's. Refer to DEP Number 091-87.

It appears that only a 30 linear foot portion of the bank has eroded because of wind/wave action and freeze/thaw cycles. As a result of the erosion, there has been reduction of condominium property as well as the build-up of silt in the pond.

Spy Pond is an important town resource which fulfills storm water management and recreational needs. It is also a valuable amenity for the condominium owners who use the pond for boating, limited swimming, fishing, and value it for the year-round views it provides. It is due to its value to the condominium owners and the threat of the property that this Notice of Intent is requesting permission to restore the bank.

### **Proposed Project**

In this Notice of Intent (NOI), the proposed project seeks to restore the bank to its original as it has eroded over the years. There is an existing drainage pipe that originally its end was at the edge of the bank. It is now shown to be exposed for over a foot in length. The proposed project is to restore the bank to its original location and provide erosion control measure to minimize future erosion. Refer to DEP No. 091-87 for the work that was performed to install this pipe.

On the property presently, stormwater flows from the east to the Spy Pond water's edge to the west.

This NOI is required because the project proposes to conduct work within the Bank of the Pond, Land Under Water, Priority Habitats, and Zone A of the FEMA Flood Hazard Area.

The area in need of restoration has a grassy irregular edge where the bank curls over and is eroded from below. A woven erosion control mat can offer effective control under these difficult conditions. These mats are flexible, easily installed, aesthetically superior to walls and rip rap as they allow vegetation to become established on and through them. As the



vegetation matures, these mats become more firmly intertwined with roots, thus providing increased stabilization. The toe of the slope which is in direct contact with the water is where scouring and undermining occur will require a different treatment. Stone rip rap placed on top of filter fabric will be used at the base of the slope and would extend above the water at a maximum of six (6") inches.

A detailed description of the work is as follows:

1. Bank will be recontoured and fill to cover approximately 45 sf will be placed to eliminate the severely eroded sections.
2. Synthetic erosion control matting shall be placed along the bank. Rip rap to be placed at the toe of the slope.
3. Vegetation will be established on top of and through the erosion control matting.
4. A silt fence or a tubular log will be erected during construction to prevent erosion /siltation during construction.
5. The existing pipe outlet is to be placed with rip rap protection on sides and below for energy dissipation and erosion control.
6. The pond bottom along the bank shall be dredged to remove 6"-12" of silt buildup. Dredging by backhoe shall be performed from land. Limit of work not to exceed 15' from the bank. Material, if acceptable, shall be used for recontouring the bank.

## ENVIRONMENTAL DUE DILIGENCE

A review of the latest Massachusetts Natural Heritage Atlas; 15<sup>th</sup> Edition, reveals that there are no Estimated Habitats, but there are Priority Habitats on-site and directly adjacent to the site. A portion of the site is located within Priority Habitats PH-1381. A list of conditions has been received and included in this filing. Refer to NHESP File No. 24-17090 in the appendix.

The latest Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) map within 25017C0417E, effective June 4, 2010, was reviewed and indicates the site is located within the 100-year floodplain "Zone A" area.

A portion of the site is located within Spy Pond, along with wetland delineation and flagging.

The proposed condition temporarily increases the disturbed area within the Bank and BVW by approximately thirty (30) linear feet by eighteen (18) inches wide for a total of forty-five (45) square feet.



## MASSACHUSETTS WETLAND REGULATIONS

### Massachusetts Regulations & Conformance to Performance Standards

#### **Bank 310 CMR 10.54**

Bank: As defined at 310 CMR 10.54 (2), a Bank is the portion of the land surface, which normally abuts and confines a water body. The upper boundary of Bank is the first observable break in slope. If proposed activities alter 10% or 50 feet (whichever is less) or more of the bank, a wildlife habitat assessment would be required.

The proposed work is approximately 30' linear feet of disturbance and will be restored to original bank location.

#### **Bordering Vegetated Wetlands 310 CMR 10.55; Subsection 4**

Bordering Vegetated Wetlands: As defined at 310 CMR 10.55 (2)(a), are freshwater wetlands which border on creeks, rivers, streams, ponds and lakes.

10.55(4)(a): Where the presumption set forth in 310 CMR 10.55(3) is not overcome, any proposed work in a Bordering Vegetated Wetland shall not destroy or otherwise impair any portion of said area.

The disturbance within the flagged BVW will be temporary and will be revegetated with native plant materials.

#### **Bordering Land Subject to Flooding 310 CMR 10.57; Subsection 4**

Bordering Land Subject to Flooding: As defined at 310 CMR 10.57 (2)(a)(1) Bordering Land Subject to Flooding is an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetland.

*Bordering Land Subject to Flooding.*

*Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows.*

*Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream or creek.*

The work or disturbance proposed within the resource area of the BLSF is minor and therefore demonstration of compliance with the Massachusetts performance standards for this resource answered.

*Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.*



The proposed disturbance within the resource area of the BLSF will not restrict the flow and will not increase flood stage velocity and therefore demonstration of compliance with the Massachusetts performance standards for this resource is not required.

*Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions.*

The proposed disturbance within the resource area of the BLSF will not impair important wildlife functions and therefore demonstration of compliance with the Massachusetts performance standards for this resource is not required.

### ***Estimated Habitats of Rare Wildlife 310 CMR 10.59;***

Estimated Habitats of Rare Wildlife (for Inland Wetlands): The previous submission was sent to NHESP on January 31, 2024, and we have received their determination which is included in this package.

## **Arlington Wetland Regulations & Conformance to Performance Standards**

### **Section 21 - Banks**

- C. *No activity, other than the maintenance of an already existing structure or Resource Area Enhancement, shall be allowed which will result in the building within or upon, removing, filling, or altering of a bank.*
- D. *Any activity which is allowed under this section on a bank or on land bordering or within 100 feet of a bank shall not impair the following:*
  - 1) *The physical stability of the bank.*
  - 2) *The water-carrying capacity of the existing channel within the bank.*
  - 3) *Groundwater and surface water quality.*
  - 4) *The capacity of the bank to provide breeding habitat, escape cover and food for fisheries.*
- E. *No work shall be performed within 50 feet of an inland bank that abuts an estimated wildlife and/or plant habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage and Endangered Species Program.*

The proposed work will not impair the stability of the bank but will enhance the bank's capacity and is designed to not erode in the future.

### **Section 23 – Land Under Water Bodies**

- D. *The Commission may allow activity on Land Under a Water Body or within 100 feet of Land Under a Water Body only if it will not impair the following:*
  - 1) *The water-carrying capacity within the defined channel, which is provided by said land in conjunction with the banks.*
  - 2) *Ground and surface water quality and quantity.*
  - 3) *The capacity of said land to provide breeding habitat, escape cover or food for fisheries.*
  - 4) *The capacity of said land to provide climate change resilience attributes.*



The proposed work will not impair the water carrying capacity, quality or quantity of the ground or surface waters, and the breeding habitat. The restoration of the bank will provide climate change resilience.

### **Section 24 – Land Subject to Flooding**

- F. *The Commission may permit activity on Land Subject to Flooding provided it shall not result in the following:*
- 1) *Flood damage due to filling which causes lateral displacement of water that would otherwise be confined within said area;*
  - 2) *Adverse effect on surface or groundwater, where said area is underlain by pervious material;*
  - 3) *An adverse effect on the capacity of said area to prevent pollution of the groundwater, where the area is underlain by pervious material which in turn is covered by a mat of organic peat and muck.*
  - 4) *A rise in the base flood elevation anywhere in the floodplain. This must be demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice performed by a registered professional.*
  - 5) *Reduction in the ability of the land to buffer more inland areas from flooding.*

The proposed work will not cause the lateral displacement of water, will not affect the surface or groundwater, will not raise the base flood elevation, and will increase the buffer for flooding.

- G. *Any such activity shall provide compensatory flood storage for all flood storage volume that will be lost at each elevation. Compensatory flood storage shall be at a 2:1 ratio, minimum, for each unit volume of flood storage lost at each elevation.*

Pursuant to the FEMA mapping of the flood Zone A has no base flood elevation.

The proposed work calls for placement of 45 sf of fill for bank restoration to be placed. The project includes the placement of erosion control matting and planting of appropriate vegetation for stabilization. All work proposed will occur in the 100-year flood zone. Due to the developed nature of the site, and the erosion that has occurred and reduced condominium land, there is no room for compensatory flood storage. While this fill is proposed to occur within the 100-year flood zone it is not expected to have significant impact on the pond's storage capacity, nor on the buildings themselves.

- I. *No work shall be performed within 50 feet of land subject to flooding that abuts an estimated habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage and Endangered Species Program unless the Applicant can demonstrate by a preponderance of credible evidence that the work will not have any short term or long-term adverse effect on the resource area values protected by the Bylaw.*

The proposed work does not have any short term or long-term adverse effect on the resource area values protected by the NHESP.



## **Section 26 – Adjacent Upland Resource Area**

- D. *The Commission may, in its discretion, allow temporary, limited, or permanent disturbance as appropriate and consistent with this Section if the Applicant proves that there are no practicable alternatives to the project with materially less adverse and cumulative effects on the interests protected by this bylaw and convinces the Commission by a preponderance of evidence that the area or part of it may be altered without harm to the values protected by this Bylaw taking into consideration the characteristics of the AURA, including but not limited to the following:*
- 1) *slope*
  - 2) *soil characteristics*
  - 3) *drainage patterns*
  - 4) *extent and type of existing native vegetation*
  - 5) *extent and type of invasive vegetation*
  - 6) *amount of impervious surface*
  - 7) *wildlife and wildlife habitat*
  - 8) *intensity and extent of use*
  - 9) *intensity and extent of adjacent and nearby uses*
  - 10) *capacity to provide resilience to climate change*

The proposed work is to establish the original location of the bank. There are no practicable alternatives with materially adverse effects on the interests protected by this Bylaw.

## **Section 32 – Climate Change Resilience**

- E. *Each project shall include at least the following measures to mitigate climate change impacts and adapt to changed climatic conditions. The Applicant shall address the following in writing in their application:*
- 1) *Describe project design considerations and measures to limit storm and flood damage during extended periods of disruption and flooding as might be expected in extreme weather events, using the FEMA 500-year flood elevation to represent extreme weather event flood levels, depending on the size and nature of the project. Project design considerations may include but not be limited to stormwater mitigation measures sized for increased precipitation expected due to climate change, 2:1 compensatory flood storage replacement, and 2:1 or higher tree replacement/plantings, See Land Subject to Flooding Section 24, Vegetative Wetlands Section 25, Adjacent Upland Resource Area Section 26, and Stormwater Management Section 33 of these Regulations.*

The limited scope of the project is to provide erosion control for future storm events.

- 2) *Calculate project stormwater surface runoff that is expected to increase due to extreme weather events using NOAA 14 Plus rainfall data (see definition in Section 4) and how this will be managed and mitigated to prevent pollution (including nutrients from fertilizers, roadway runoff, etc.) from entering the resource area in the future, with consideration of eliminating or decreasing impervious surfaces as much as feasible. Project design considerations may include but not be limited to stormwater mitigation measures sized for increased precipitation expected due to climate change. See Stormwater Management Section 33 of these Regulations.*

The projects stormwater surface runoff will not increase.



- 3) *Describe project vegetation/planting plans and any other measures to improve the resiliency of the resource areas to provide resource area values including but not limited to wildlife habitat; that is, to enable resource areas to withstand extreme precipitation/rainfall changes (drought and excess) and extreme temperatures including extreme heat due to climate change. Project design considerations may include but not be limited to diversity and abundance of replacement plantings and consideration of shading and cooling. See Vegetation Removal and Replacement Section 25 of these Regulations.*

The project plans to plant native vegetation to enhance the pond edge.

- 4) *Describe project considerations and measures to avoid, minimize, and mitigate for extreme heat effects in resource areas. Project design considerations may include but not be limited to reducing impervious surfaces, increasing, or maintaining naturally vegetated surfaces, increasing tree canopy, consideration of shading of structures.*

The proposed project will increase the naturally vegetated area by restoring the bank to its original condition.

## **STORMWATER MANAGEMENT**

Since this project will only be restoring bank with pervious materials, it does not require any stormwater mitigation under the local Town of Arlington Stormwater Management Bylaws or the MassDEP Stormwater Management Guidelines. This project is not proposing to construct any impervious areas or change any existing drainage patterns.

## **NARRATIVE CONCLUSION**

The applicant respectfully submits the proposed project for the review of the Conservation Commission. Through careful site design, the adverse impacts have been minimized and the interests of the Massachusetts Wetlands Protection Act and the Arlington Regulations for Wetlands Protection have been protected.



## **Wetland Border Report**

Site Locus: 18 Hamilton Road, Arlington, MA

Prepared for: Jacqui Trainer, Allen and Major Associates

Prepared by: Goddard Consulting LLC, 291 Main St, Suite 8, Northborough MA 01532

Date: 1/8/2024

### **INTRODUCTION**

On December 22, 2023, wetland resources were delineated for Allen and Major Associates on land located on or near 18 Hamilton Road, Arlington, MA (refer to enclosed locus maps). The wetland border was flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

The titles of attached documents are as follows:

- Orthophoto of Locus Site, Goddard Consulting LLC, 12/21/2023
- Orthophoto of Locus Site with NRCS Soils, Goddard Consulting LLC, 12/21/2023
- Orthophoto of Locus Site with FEMA Flood Zones, Goddard Consulting LLC, 12/21/2023
- Orthophoto of Locus Site with NHESP, Goddard Consulting LLC, 12/21/2023
- USGS View of Locus Site, Goddard Consulting LLC, 12/21/2023

### **SUMMARY OF FINDINGS**

The Bank of Spy Pond west of the site was delineated with flag series GC 1 - GC 12. Dominant vegetation along the bank includes inkberry, silky dogwood, and red osier dogwood.

According to the MassGIS data layers for the Natural Heritage & Endangered Species Program (NHESP), the locus site is partially located within Priority Habitat of Rare Species. The site is not located in an Outstanding Resource Waters Area (ORW), or an Area of Critical Environmental Concern (ACEC). The site partially falls within a FEMA flood zone (Zone A – 1% Annual Chance Flood Hazard). There are no mapped certified or potential vernal pools on site.

The MA Wetlands Protection Act and the Town of Arlington take jurisdiction over the Bank, Buffer Zone, and Bordering Land Subject to Flooding (BLSF). The Bank of Spy Pond has a jurisdictional 100-foot Buffer Zone that casts onto the locus site.

Any work within these resource areas including the 100-foot Buffer Zone to Bank or the Floodplain requires a Request for Determination (RDA) or Notice of Intent (NOI) to be filed with the Arlington Conservation Commission. A MESA Project Review Checklist will also need to be filed with MA Natural Heritage and Endangered Species Program (NHESP) if work takes place within the mapped Priority Habitat.



### DESCRIPTION OF REGULATED INLAND RESOURCE AREA

The table below provides the regulatory jurisdiction, flag numbers/colors, and wetland types and locations for the resource areas delineated.

Resource Area	Regulatory Jurisdiction	Flag Numbers and Color	Wetland Types and Locations
Bank (Spy Pond)	Bank & 100-foot Buffer Zone, (known as Adjacent Upland Resource Area AURA under local Bylaw)  25-foot No Disturbance Zone (bylaw) & 50-foot No Structure Zone (bylaw)	GC 1-GC 12 (Pink flags)	The boundary of Bank of Pond located west of the site.
Bordering Land Subject to Flooding (BLSF)	BLSF (no buffer zone)	Not Flagged in Field	Extent of BLSF Zone A to be determined by survey or NFIP Map.

### SITE PHOTOS



Photo 1. View of pond bank looking north.



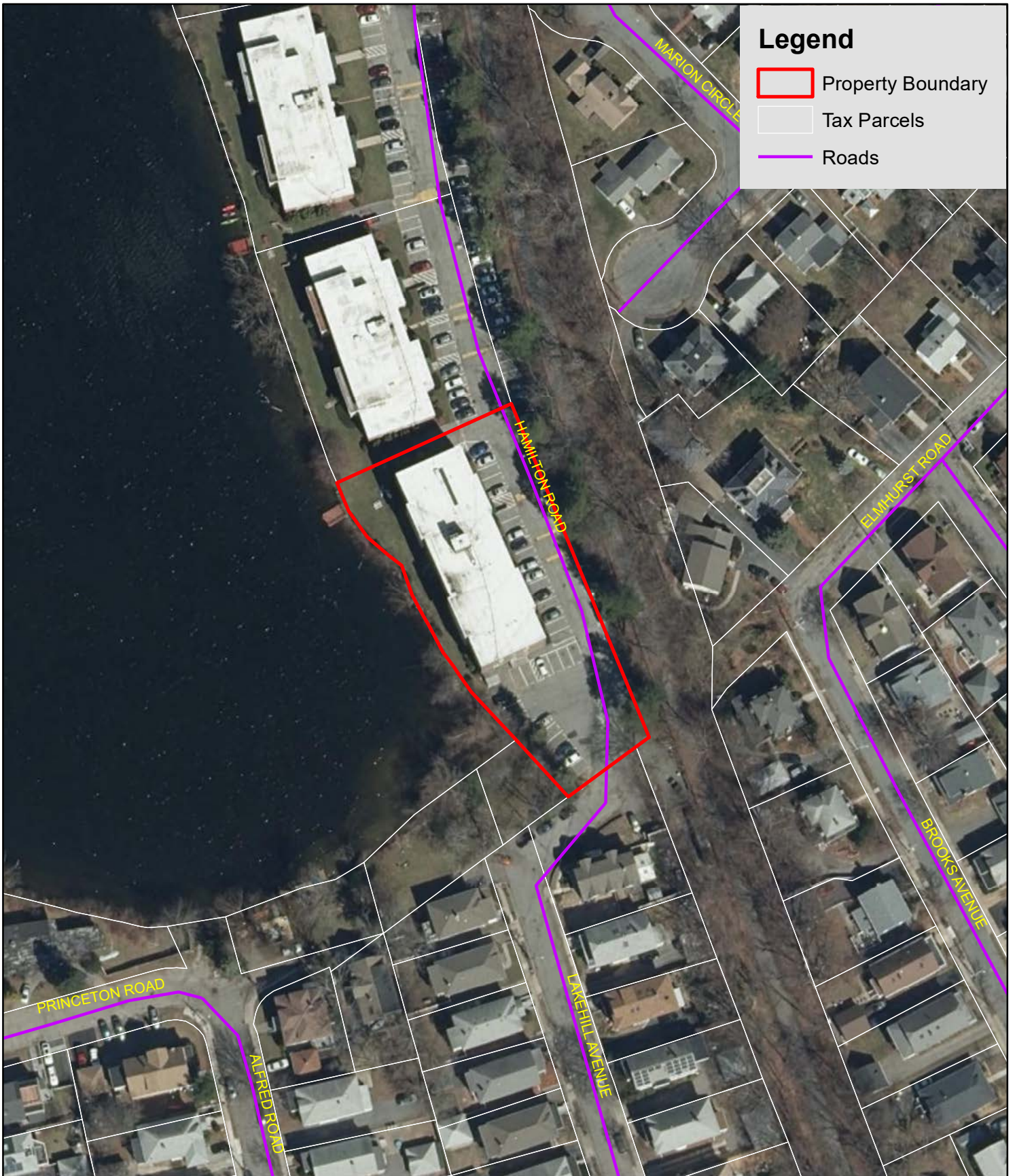
Photo 2. Another view of the pond and its bank facing west.

Sincerely,  
Goddard Consulting, LLC








Ryan Roseen  
Wetland Scientist & Wildlife Biologist







### Legend

-  Property Boundary
-  Tax Parcels
-  Roads

Date: 12/21/2023	GC Job Number: 010-007	Orthophoto View of Locus Site	0 50 100 Feet	
 <b>GODDARD CONSULTING</b> Strategic Ecological Consulting			1 in = 100 ft	
		18 Hamilton Road Arlington, MA 02476	Map: 20, Lot: 1	






Date: 12/21/2023	GC Job Number: 010-007	Orthophoto View of Locus Site with NRCS Soils	0      50      100 <div><div></div></div> Feet	
 <b>GODDARD CONSULTING</b> Strategic Ecological Consulting			1 in = 100 ft	72 of 162 
		18 Hamilton Road Arlington, MA 02476	Map: 20, Lot: 1	


18 Hamilton Road  
Arlington, MA 02476






## Legend

 Property Boundary

 Tax Parcels

## FEMA National Flood Hazard Layer

 A: 1% Annual Chance of Flooding, no BFE

Date: 12/21/2023

GC Job Number:  
010-007

## Orthophoto View of Locus Site with FEMA

18 Hamilton Road  
Arlington, MA 02476

0 50 100  
Feet

1 in = 100 ft

Map: 20, Lot: 1

73 of 162









## Legend



- Property Boundary
- NHESP Priority Habitats of Rare Species

MassGIS, NHESP

Date: 12/21/2023	GC Job Number: 010-007	Orthophoto View of Locus Site with NHESP	0 50 100 Feet	
 <b>GODDARD CONSULTING</b> Strategic Ecological Consulting			1 in = 100 ft	
		18 Hamilton Road Arlington, MA 02476	Map: 20, Lot: 1	





Date: 12/21/2023	GC Job Number: 010-007	USGS View of Locus Site	0 250 500 Feet	
 GODDARD CONSULTING Strategic Ecological Consulting			1 in = 500 ft	75 of 162 
		18 Hamilton Road Arlington, MA 02476	Map: 20, Lot: 1	





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

091-0358

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

18 Hamilton Road

a. Street Address

Arlington

b. City/Town

02474

c. Zip Code

Latitude and Longitude:

42.40655

d. Latitude

-71.14833

e. Longitude

Map 20.A, Block 1

f. Assessors Map/Plat Number

Lot 101 to 508

g. Parcel /Lot Number

2. Applicant:

Stephen

a. First Name

Mangano

b. Last Name

Spy Pond Condominium Association c/o Thayer & Associates, Inc.

c. Organization

1812 Massachusetts Avenue

d. Street Address

Cambridge

e. City/Town

MA

f. State

02140

g. Zip Code

(508) 982-2868

h. Phone Number

i. Fax Number

SMangano@ThayerAssociates.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

Spy Pond Condominium Association

c. Organization

20 Hamilton Road

d. Street Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Jacqui

a. First Name

Trainer

b. Last Name

Allen & Major Associates, Inc.

c. Company

100 Commerce Way, Suite 5

d. Street Address

Woburn

e. City/Town

MA

f. State

01801

g. Zip Code

781.305.9432

h. Phone Number

i. Fax Number

jtrainer@allenmajor.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

500.00

a. Total Fee Paid

Previously submitted

b. State Fee Paid

262.50

c. City/Town Fee Paid





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

091-0358

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**A. General Information (continued)**

6. General Project Description:

The proposed project seeks to restore the bank to its original as it has eroded over the years. There is an existing drainage pipe that originally its end was at the edge of the bank. It is now shown to be exposed for over a foot in length. The proposed project is to restore the bank to its original location and provide erosion control measure to minimize future erosion.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input checked="" type="checkbox"/> Other                          |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

16048

c. Book

b. Certificate # (if registered land)

328

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

091-0358

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Bank	30 1. linear feet	30 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	45 1. square feet 45 3. cubic yards dredged	45 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	45 1. square feet 0 3. cubic feet of flood storage lost	0 2. square feet 0 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

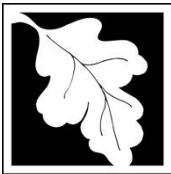
a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW \_\_\_\_\_

b. square feet of Salt Marsh \_\_\_\_\_

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings \_\_\_\_\_

b. number of replacement stream crossings \_\_\_\_\_



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**C. Other Applicable Standards and Requirements**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

a. ☒ Yes ☐ No

**If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

August 1, 2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1. ☒ Percentage/acreage of property to be altered:

(a) within wetland Resource Area 0.12%  
percentage/acreage

(b) outside Resource Area \_\_\_\_\_  
percentage/acreage

2. ☒ Assessor's Map or right-of-way plan of site

2. ☒ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☒ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☒ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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**C. Other Applicable Standards and Requirements (cont'd)**

- (c) ☒ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?

- d. ☐ Yes    ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



**Massachusetts Department of Environmental Protection**  
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**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:  
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)  
2. ☐ A portion of the site constitutes redevelopment  
3. ☐ Proprietary BMPs are included in the Stormwater Management System.  
b. ☐ No. Check why the project is exempt:  
1. ☐ Single-family house  
2. ☐ Emergency road repair  
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



**Massachusetts Department of Environmental Protection**  
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**D. Additional Information (cont'd)**

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Bank Restoration at Spy Pond

a. Plan Title

Allen & Major Associates, Inc.

Carlton Quinn, PE & Jacqui Trainer, PLA

b. Prepared By

c. Signed and Stamped by

May 14, 2024

1"=10'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☒ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

015197

2. Municipal Check Number

05.02.2024

3. Check date

015155

4. State Check Number

01.24.2024

5. Check date

Spy Pond Condominium

c/o Thayer & Associates

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

091-0358

MassDEP File Number

Document Transaction Number

Arlington

City/Town

### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

*Stephen Mangano as agent*

1. Signature of Applicant

May 7, 2024

2. Date

3. Signature of Property Owner (if different)

*Stephen Mangano as agent*

5. Signature of Representative (if any)

4. Date

May 7 2024

6. Date

#### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

#### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

18 Hamilton Road

a. Street Address

015155

c. Check number

Arlington

b. City/Town

427.50

d. Fee amount

### 2. Applicant Mailing Address:

a. First Name

b. Last Name

Spy Pond Condominium Association c/o Thayer & Associates, Inc.

c. Organization

1812 Massachusetts Avenue

d. Mailing Address

Cambridge

e. City/Town

MA

f. State

02140

g. Zip Code

(508) 982-2868

h. Phone Number

i. Fax Number

SMangano@ThayerAssociates.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

b. Last Name

Spy Pond Condominium Association

c. Organization

20 Hamilton Road

d. Mailing Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

# NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2.j.)	1	500.00	500.00
Step 5/Total Project Fee:			500.00

### Step 6/Fee Payments:

Total Project Fee:	500.00
	a. Total Fee from Step 5
State share of filing Fee:	Previously submitted
	b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filling Fee:	262.50
	c. 1/2 Total Fee <b>plus</b> \$12.50

### C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



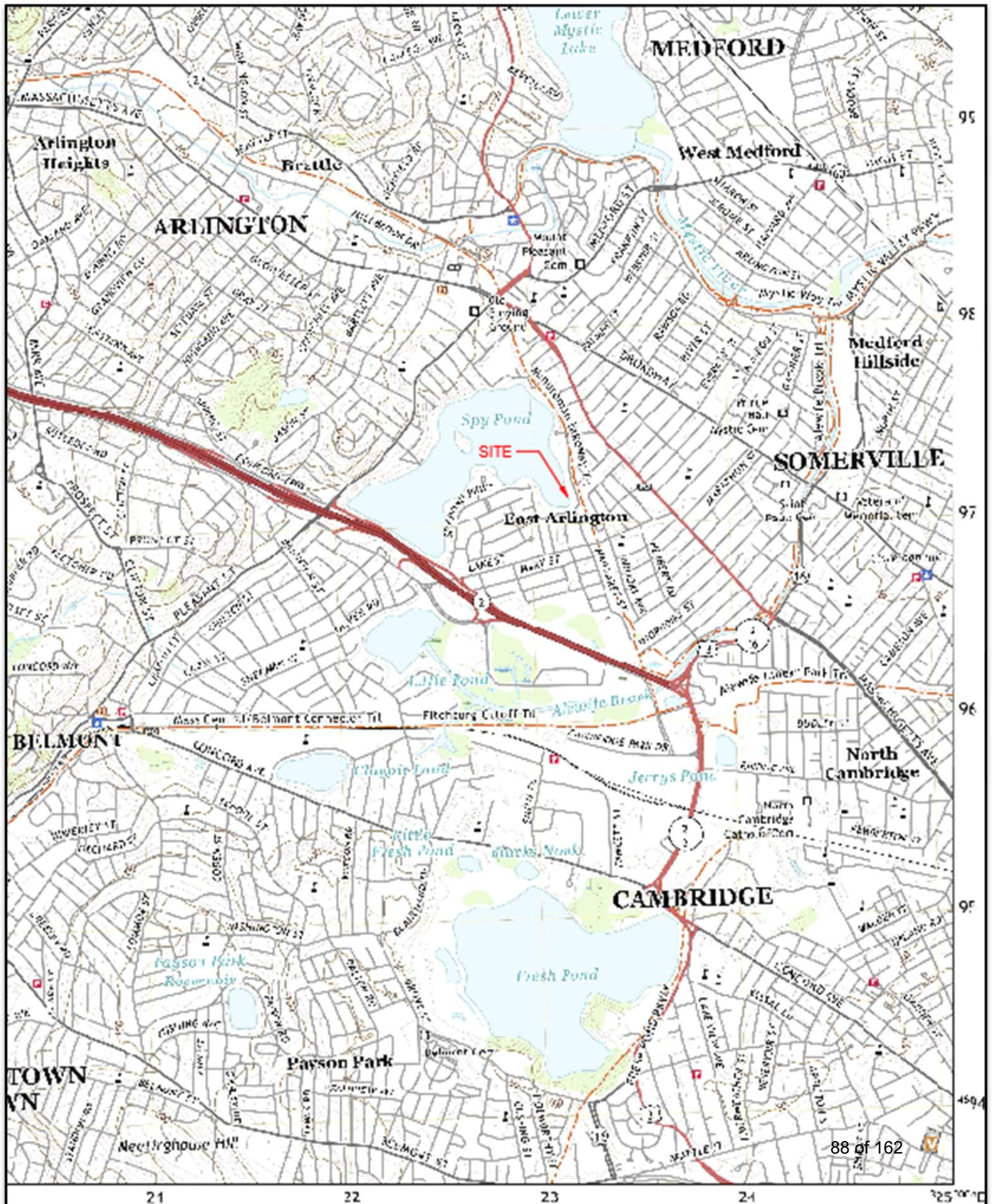
## SECTION 2.0

### EXHIBITS





## USGS SITE LOCUS MAP







## AERIAL PHOTO



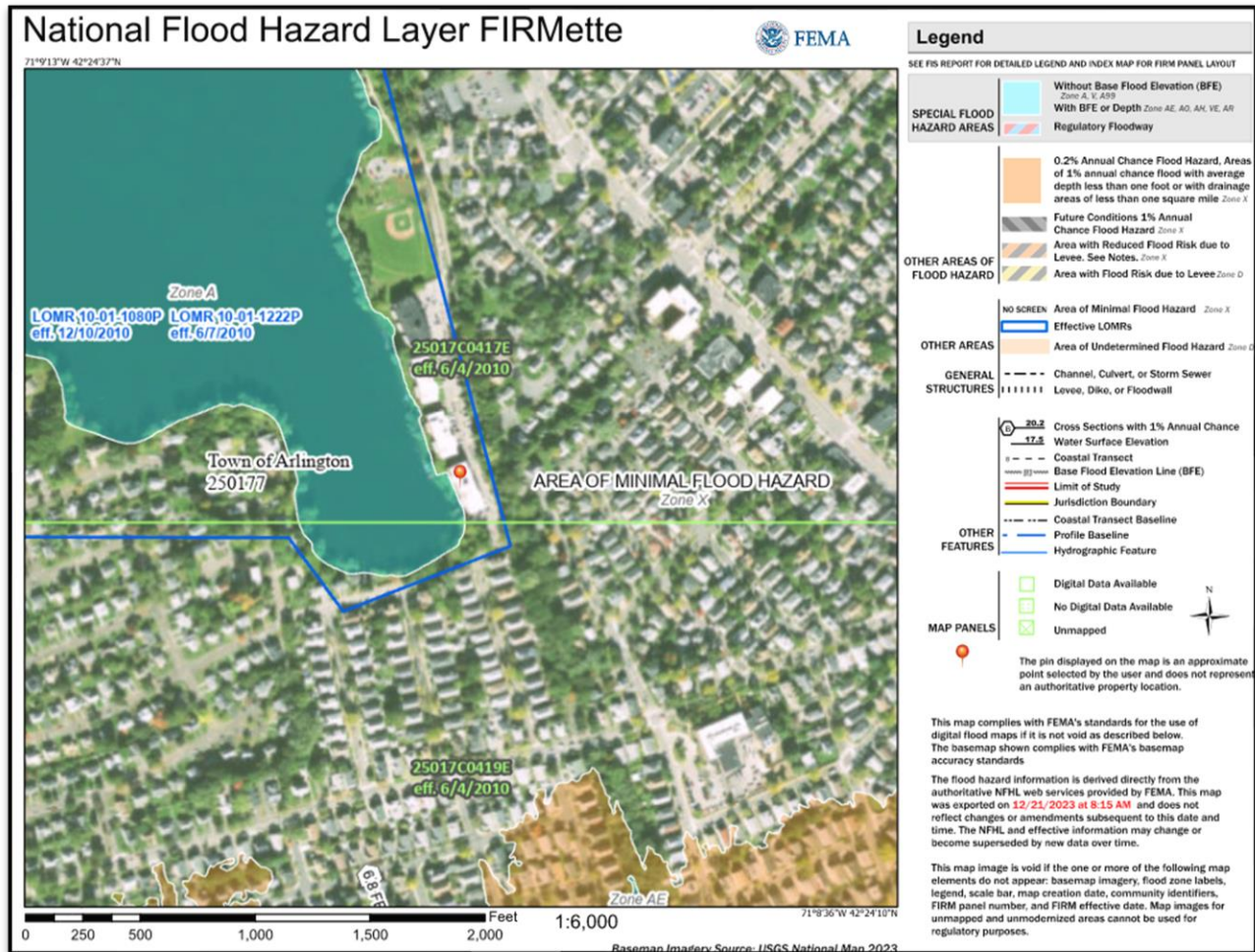


## ARLINGTON WETLANDS MAP





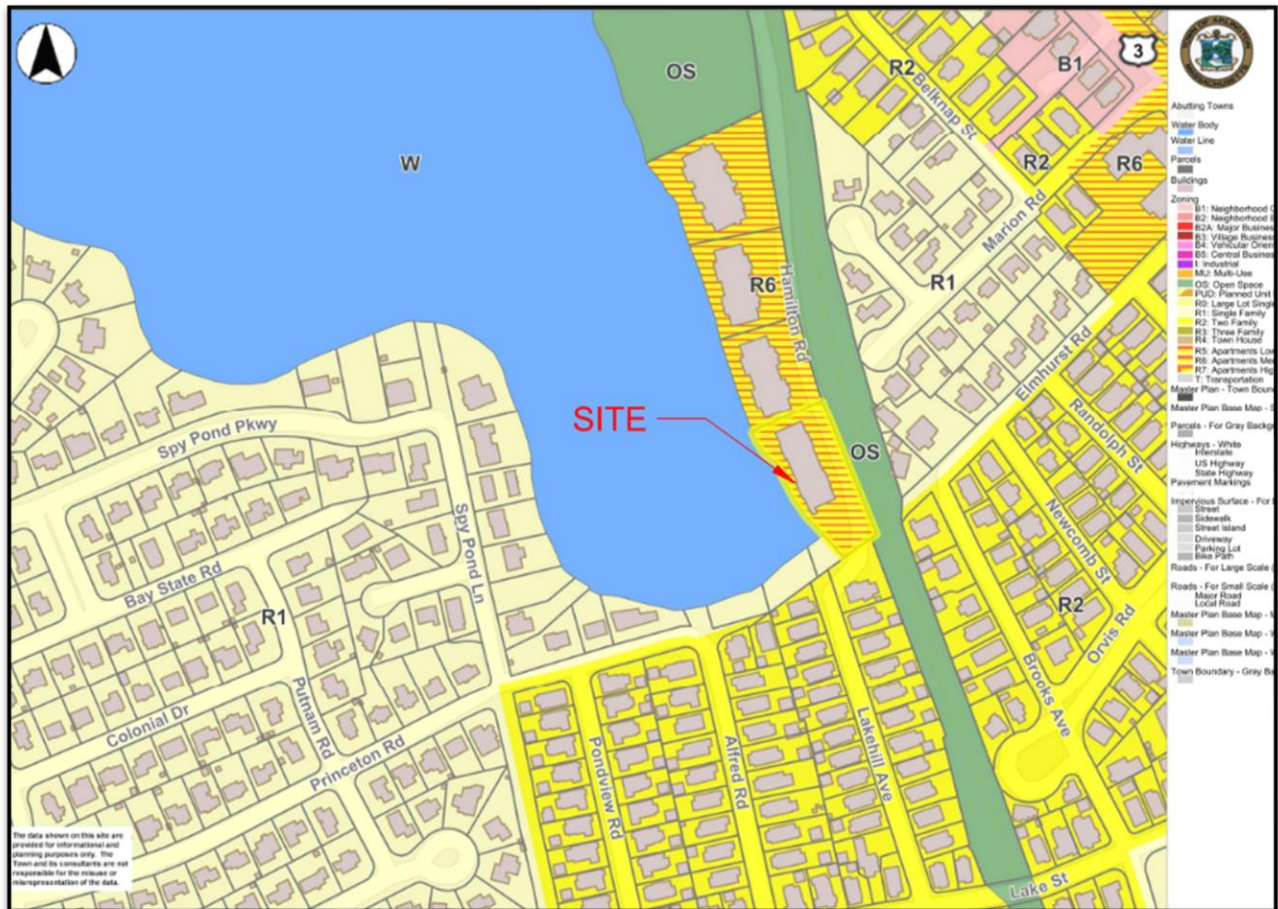
## FEMA FLOOD INSURANCE RATE MAP







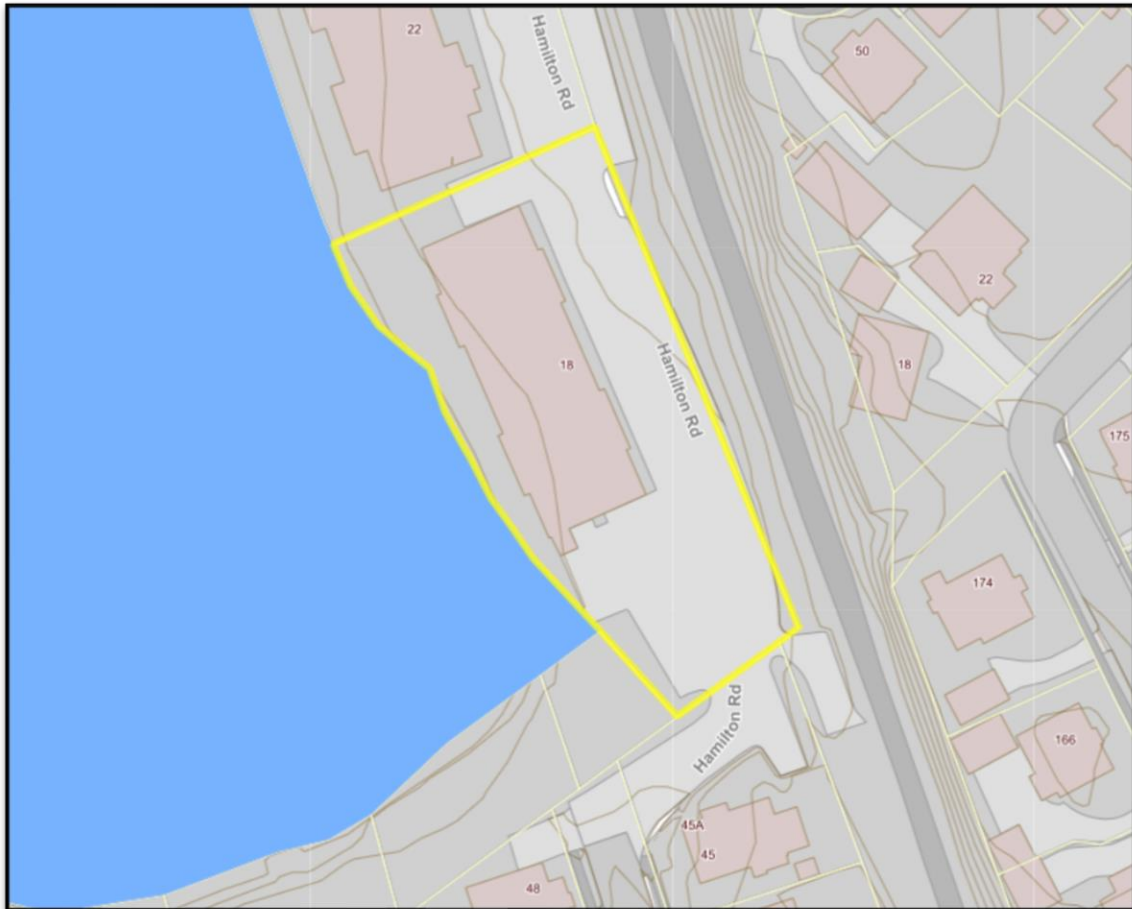
## SITE ZONING MAP







## TOPOGRAPHIC MAP OF SITE





## SECTION 3.0

### ABUTTER NOTIFICATION

## ABUTTER NOTIFICATION

### **Notification to Abutters Under the Massachusetts Wetlands Protection Act and Arlington Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on *June 6* at 7:00 PM in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Notice of Intent from Stephen Mangano, for Bank Restoration at Spy Pond at 18 Hamilton Road within 100 feet of a wetland, on Assessor's Property Map/s #Map 20.A, Block 1, Lot/s #Lot 101 to 508. Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation at 781-316-3012 or [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us). For more information, call the applicant's representative, Jacqui Trainer at Allen & Major Associates, Inc. (781-305-9432), the Arlington Conservation Commission (781-316-3012), or the DEP Northeast Regional Office (978-694-3200).

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

## AFFIDAVIT OF SERVICE

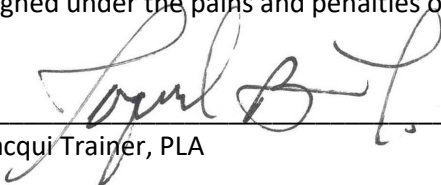
I, *Jacqui Trainer*, being duly sworn, do hereby state as follows: on May 14, 2024, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

*Bank Restoration at Spy Pond*

*18 Hamilton Road, Arlington, MA 02474*

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 14 of May, 2024.

  
\_\_\_\_\_  
Jacqui Trainer, PLA

**CERTIFIED ABUTTERS LIST**

Date: May 7, 2024

Subject Property Address: 18 HAMILTON RD Arlington, MA

Search Distance: 100 Feet - Conservation

Parcel ID:	Property Location	Owner 1	Owner 2	MAILING ADDRESS				
				Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-1-101	18 HAMILTON RD UNIT 101	HAINES LINDA J/ TRUSTEE	HAINES FAMILY TRUST	18 HAMILTON RD #101		ARLINGTON	MA	02474
20.A-1-102	18 HAMILTON RD UNIT 102	KATES MICHAEL S		21 GREYSTONE CT		BURLINGTON	MA	01803
20.A-1-103	18 HAMILTON RD UNIT 103	BETTENCOURT PAULA/MARIO		43 AMSDEN		ARLINGTON	MA	02474
20.A-1-104	18 HAMILTON RD UNIT 104	MC EWEN KAREN B		18 HAMILTON ROAD #104		ARLINGTON	MA	02474
20.A-1-105	18 HAMILTON RD UNIT 105	BAYSTATE CONDOMINIUMS LLC		956 MASS AVE		LEXINGTON	MA	02420
20.A-1-106	18 HAMILTON RD UNIT 106	SEGRT JANKO ETAL/ TRUSTEE	18 HAMILTON RD UNIT 106 REALTY	115 BACON ST		NATICK	MA	01760
20.A-1-107	18 HAMILTON RD UNIT 107	STALCUP WILLIAM S		18 HAMILTON ROAD #107		ARLINGTON	MA	02474
20.A-1-108	18 HAMILTON RD UNIT 108	BASSALEH JOSEPH &	DECARLO MADELEINE	18 HAMILTON RD #108		ARLINGTON	MA	02474
20.A-1-201	18 HAMILTON RD UNIT 201	POLLINA VINCENT J		18 HAMILTON ROAD #201		ARLINGTON	MA	02474
20.A-1-202	18 HAMILTON RD UNIT 202	CADWGAN JOHONNA L		18 HAMILTON RD #202		ARLINGTON	MA	02474
20.A-1-203	18 HAMILTON RD UNIT 203	ESTEVEZ ISIS E		12 CONIFER LN		AMHERST	NH	03031
20.A-1-204	18 HAMILTON RD UNIT 204	HARRIS ELWYN EVERETT		18 HAMILTON ROAD #204		ARLINGTON	MA	02474
20.A-1-205	18 HAMILTON RD UNIT 205	POOR RIVA/ TRUSTEE	RIVA POOR 2016 TRUST	73 KIRKLAND ST		CAMBRIDGE	MA	02138
20.A-1-206	18 HAMILTON RD UNIT 206	STRICKLAND BARBARA B		18 HAMILTON RD UNIT 206		ARLINGTON	MA	02474
20.A-1-207	18 HAMILTON RD UNIT 207	MAHER JAMES M/ TRUSTEE	18 HAMILTON REALTY TRUST	18 HAMILTON RD #207		ARLINGTON	MA	02474
20.A-1-208	18 HAMILTON RD UNIT 208	ALBERT ALEXANDER C		18 HAMILTON RD #208		ARLINGTON	MA	02474
20.A-1-301	18 HAMILTON RD UNIT 301	KALBER VIVIAN A/TRUSTEE	VIVIAN A KALBER REVOCABLE TR	C/O LEANA NORDSTROM	8 NORTON RD	MEDFORD	MA	02155
20.A-1-302	18 HAMILTON RD UNIT 302	ESPOSITO PAUL		776 MAIN STREET		WAKEFIELD	MA	01880
20.A-1-303	18 HAMILTON RD UNIT 303	CROMER MACEDO LLC		15 VIRGINIA ST		SOMERVILLE	MA	02145
20.A-1-304	18 HAMILTON RD UNIT 304	ONEIL NANCY		18 HAMILTON ROAD #304		ARLINGTON	MA	02474
20.A-1-305	18 HAMILTON RD UNIT 305	OWEN ELIZABETH M		18 HAMILTON RD #305		ARLINGTON	MA	02474
20.A-1-306	18 HAMILTON RD UNIT 306	TORRESYAP GAY		18 HAMILTON RD UNIT 306		ARLINGTON	MA	02474
20.A-1-307	18 HAMILTON RD UNIT 307	DOUGAN BARBARA J/ LIFE ESTATE		18 HAMILTON ROAD	UNIT 307	ARLINGTON	MA	02474
20.A-1-308	18 HAMILTON RD UNIT 308	CLARK LINDA M/ TRUSTEE	LINDA M CLARK REALTY TRUST	18 HAMILTON RD #308		ARLINGTON	MA	02474
20.A-1-401	18 HAMILTON RD UNIT 401	FINELLI ALYCE		177 PEMBERTON ST UNIT 14		CAMBRIDGE	MA	02140
20.A-1-402	18 HAMILTON RD UNIT 402	LIU YANG	MIN YAO	26 LEDGELAWN AVE		LEXINGTON	MA	02420
20.A-1-403	18 HAMILTON RD UNIT 403	MEADOWS JULIE A		18 HAMILTON ROAD #403		ARLINGTON	MA	02474
20.A-1-404	18 HAMILTON RD UNIT 404	KOLEV VIHREN N	KOLEVA ROSITSA	17 REED ST #1		ARLINGTON	MA	02474
20.A-1-405	18 HAMILTON RD UNIT 405	KWAK MICHELLE C		511 TUMBLING HAWK		ACTON	MA	01718
20.A-1-406	18 HAMILTON RD UNIT 406	MURPHY KATHERINE	HERBERT PATRICIA	18 HAMILTON RD #406		ARLINGTON	MA	02474
20.A-1-407	18 HAMILTON RD UNIT 407	WALSH LAUREN/ TRUSTEE	SPY POND CONDO TRUST	144 WHITE ST		BELMONT	MA	02478
20.A-1-408	18 HAMILTON RD UNIT 408	GOODMAN THEODORE & CHIKAKO/ TRS	CHIKAKO GOODMAN REVOCABLE TR	18 HAMILTON RD UNIT 408		ARLINGTON	MA	02474
20.A-1-501	18 HAMILTON RD UNIT 501	MOREIRA JOSEPH		18 HAMILTON ROAD #501		ARLINGTON	MA	02474
20.A-1-502	18 HAMILTON RD UNIT 502	KLEIN MARA L		18 HAMILTON ROAD #502		ARLINGTON	MA	02474



**CERTIFIED ABUTTERS LIST**

Date: May 7, 2024

Subject Property Address: 18 HAMILTON RD Arlington, MA

Search Distance: 100 Feet - Conservation

Parcel ID:	Property Location	Owner 1	Owner 2	MAILING ADDRESS				
				Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-1-503	18 HAMILTON RD UNIT 503	CHAKRAVORTY RUDRA/ TRS	RUDRA CHAKRAVORTY REVOCABLE	3 SWEET MEADOW DR		NASHUA	NH	03063
20.A-1-504	18 HAMILTON RD UNIT 504	COTRONEO VINCENZO		PMB 8047	1321 UPLAND DR	HOUSTON	TX	77043
20.A-1-505	18 HAMILTON RD UNIT 505	GOYAL KAPISH		2624 OCEAN SHORE AVE	# B	VIRGINIA BEACH	VA	23451
20.A-1-506	18 HAMILTON RD UNIT 506	TOPLIN HOLDEN &	YANG ZHENYAN	18 HAMILTON ROAD #506		ARLINGTON	MA	02474
20.A-1-507	18 HAMILTON RD UNIT 507	POST ARJAN		18 HAMILTON ROAD #507		ARLINGTON	MA	02474
20.A-1-508	18 HAMILTON RD UNIT 508	OHN KIMBERLY		18 HAMILTON RD	UNIT 508	ARLINGTON	MA	02474
20.A-2-101	20 HAMILTON RD UNIT 101	PATEY SARA		8 PARKER RD		SHIRLEY	MA	01464
20.A-2-102	20 HAMILTON RD UNIT 102	SULLIVAN DIANE M		20 HAMILTON RD #102		ARLINGTON	MA	02474
20.A-2-103	20 HAMILTON RD UNIT 103	BETTENCOURT MARIO S--ETAL	BETTENCOURT PAULA M	43 AMSDEN STREET		ARLINGTON	MA	02474
20.A-2-104	20 HAMILTON RD UNIT 104	CARROLL THOMAS J JR/ TRUSTEE	MOCCIA IRREVOCABLE TRUST	132 ROBBINS RD		ARLINGTON	MA	02476
20.A-2-105	22 HAMILTON RD UNIT 105	SEGRT JANKO ETAL/ TRUSTEE	22 HAMILTON RD UNIT 105 REALTY	115 BACON ST		NATICK	MA	01760
20.A-2-106	22 HAMILTON RD UNIT 106	ZHAO LIJIAN	KANTOR MARK	75 BEVERLY RD		ARLINGTON	MA	02474
20.A-2-107	22 HAMILTON RD UNIT 107	MARGOLIN BARRY W		22 HAMILTON ROAD #107		ARLINGTON	MA	02474
20.A-2-108	22 HAMILTON RD UNIT 108	FUCHS DEBORAH		PO BOX 23		PETERSHAM	MA	01366
20.A-2-201	20 HAMILTON RD UNIT 201	LYU XIAODONG		20 HAMILTON RD	UNIT 201	ARLINGTON	MA	02474
20.A-2-202	20 HAMILTON RD UNIT 202	OBRIEN HAYLEY E		20 HAMILTON ROAD #202		ARLINGTON	MA	02474
20.A-2-203	20 HAMILTON RD UNIT 203	SULLIVAN DIANE M	KNOTT FRANCES K	20 HAMILTON RD UNIT 102		ARLINGTON	MA	02474
20.A-2-204	20 HAMILTON RD UNIT 204	MATHIASSEN KAREN		20 HAMILTON ROAD #204		ARLINGTON	MA	02474
20.A-2-205	22 HAMILTON RD UNIT 205	HALLIDAY MARK		54 BRANTWOOD RD		ARLINGTON	MA	02476
20.A-2-206	22 HAMILTON RD UNIT 206	TINCH PETER M		22 HAMILTON ROAD #206		ARLINGTON	MA	02474
20.A-2-207	22 HAMILTON RD UNIT 207	GARDNER P J		22 HAMILTON ROAD #207		ARLINGTON	MA	02474
20.A-2-208	22 HAMILTON RD UNIT 208	CARROLL THOMAS J/CORINNE K		132 ROBBINS RD		ARLINGTON	MA	02476
20.A-2-301	20 HAMILTON RD UNIT 301	RANDOLPH ANNE		20 HAMILTON ROAD #301		ARLINGTON	MA	02474
20.A-2-302	20 HAMILTON RD UNIT 302	BODNYA RAISA/LEONID/TRS	BODNYA TRUST	20 HAMILTON ROAD #302		ARLINGTON	MA	02474
20.A-2-303	20 HAMILTON RD UNIT 303	ROCKLAND TRUST COMPANY/ TRS	ROCHELLE ANDREA WOLFE TRUST	2036 WASHINGTON ST		HANOVER	MA	02339
20.A-2-304	20 HAMILTON RD UNIT 304	BROWN GERDA		20 HAMILTON ROAD #304		ARLINGTON	MA	02474
20.A-2-305	22 HAMILTON RD UNIT 305	JACOBSON ALAN J		225 COOLIDGE AVE #106		WATERTOWN	MA	02472
20.A-2-306	22 HAMILTON RD UNIT 306	SULLIVAN MARY C/ TRUSTEE	MARY C SULLIVAN REVOCABLE TRUS	7 DEXTER RD		WELLESLEY	MA	02482
20.A-2-307	22 HAMILTON RD UNIT 307	FAIOLA CAROL		22 HAMILTON ROAD #307		ARLINGTON	MA	02474
20.A-2-308	22 HAMILTON RD UNIT 308	GILMAN LISA R		22 HAMILTON ROAD #308		ARLINGTON	MA	02474
20.A-2-401	20 HAMILTON RD UNIT 401	FRASER ELIZABETH G		20 HAMILTON RD #401		ARLINGTON	MA	02474
20.A-2-402	22 HAMILTON RD UNIT 402	LIEM SIOE L		22 HAMILTON ROAD #402		ARLINGTON	MA	02474
7-3-1	174 BROOKS AVE	POPOLOW BARBARA A	HALL EDWARD J	174 BROOKS AVE		ARLINGTON	MA	02474
7-3-2.A	166 BROOKS AVE	LOUD NANCY A		166 BROOKS AVE		ARLINGTON	MA	02474

**CERTIFIED ABUTTERS LIST**

Date: May 7, 2024

Subject Property Address: 18 HAMILTON RD Arlington, MA

Search Distance: 100 Feet - Conservation

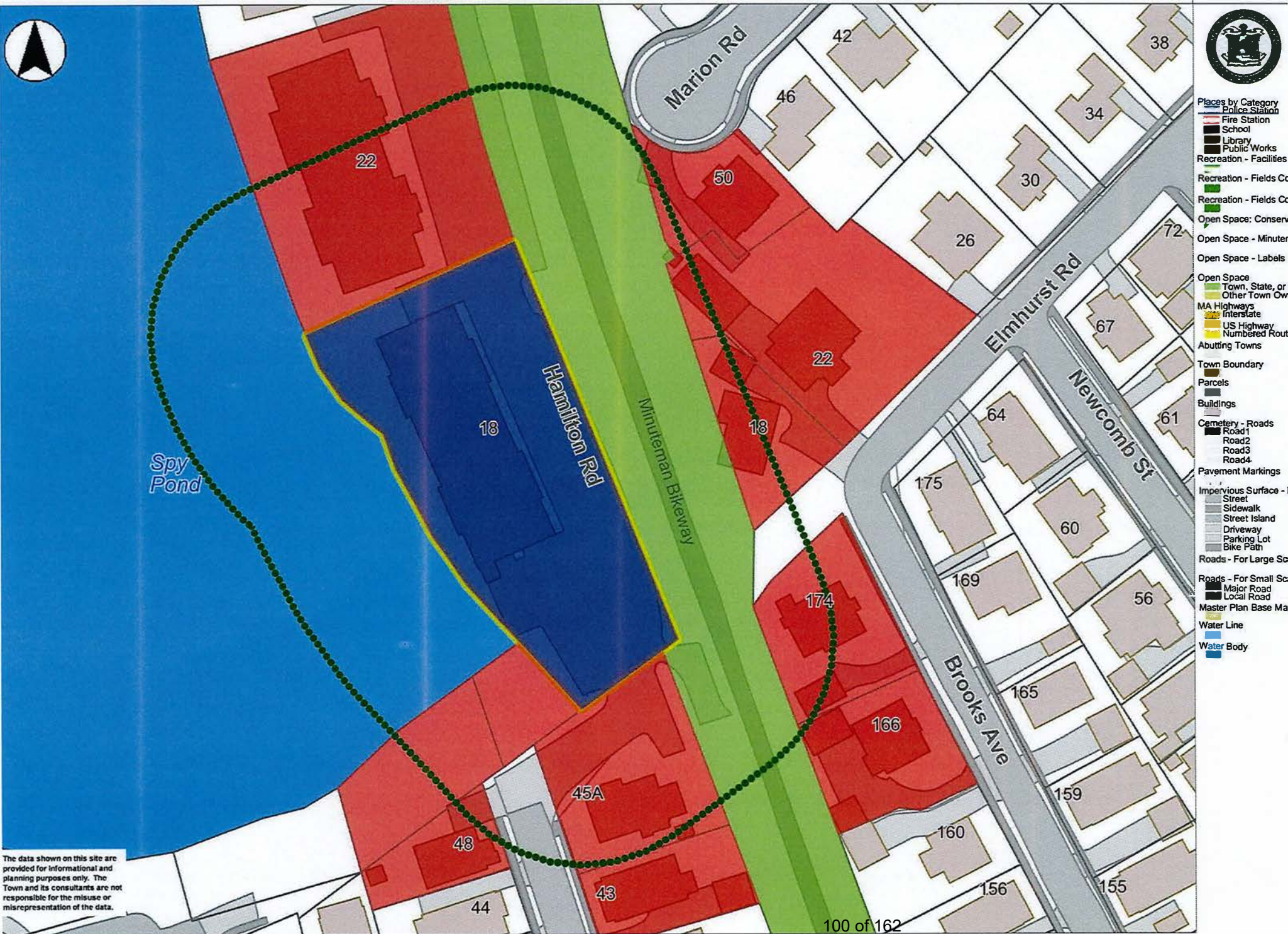
Parcel ID:	Property Location	Owner 1	Owner 2	MAILING ADDRESS				
				Mailing Address 1	Mailing Address 2	Town	State	Zip
7-5-1	45-45A LAKEHILL AVE	LIU ZIJIE	LUO XIANGLING	45 LAKEHILL AVE		ARLINGTON	MA	02474
7-6-1	46-48 LAKEHILL AVE	BRASHEARS BRUNA / TTEE	46 LAKEHILL AVE REALTY TR II	46 LAKEHILL AVE		ARLINGTON	MA	02474
7-7-1	0-LOT LAKEHILL AVE	BRASHEARS BRUNA / TTEE	46 LAKEHILL AVE REALTY TR II	46 LAKEHILL AVE		ARLINGTON	MA	02474
7-7-2	0-LOT LAKEHILL AVE	BRASHEARS BRUNA / TTEE	46 LAKEHILL AVE REALTY TR II	46 LAKEHILL AVE		ARLINGTON	MA	02474
7.A-1-41	41 LAKEHILL AVE UNIT 41	HAGUE LAUREN WESLEY &	HAGUE JOHN CHRISTIAN	41 LAKEHILL AVE		ARLINGTON	MA	02474
7.A-1-43	43 LAKEHILL AVE UNIT 43	STRATAKIS MIGAIL E/ TTEE	STRATAKIS REVOCABLE LIVING TR	43 LAKEHILL AVE		ARLINGTON	MA	02474
8-2-24	22 ELMHURST RD	BOGDAN JAMES M & LAURIE		22 ELMHURST ROAD		ARLINGTON	MA	02474
8-2-24.A	18 ELMHURST RD	ERINGROS MASKIN	ERINGROS NATALIE	18 ELMHURST ROAD		ARLINGTON	MA	02474
8-2-25	50 MARION RD	WALDRON JARLATH	HEIMS NANCY	83 ORCHARD STREET		CAMBRIDGE	MA	02140

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to a single parcel within 100 feet.

Town of Arlington  
Office of the Board of Assessors  
730 Massachusetts Ave  
Arlington, MA 02476  
P: 781.316.3050  
E: assessors@town.arlington.ma.us







The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.





**SECTION 4.0**  
**APPENDIX**



Enter your transmittal number →

X290043  
Transmittal Number

Your unique Transmittal Number can be accessed online:

<https://www.mass.gov/service-details/transmittal-form-number-for-massdep-permit-application-payment>

## Massachusetts Department of Environmental Protection

# Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: MassDEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

**Copy 1 - the original** must accompany your permit application.  
**Copy 2** must accompany your fee payment.  
**Copy 3** should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

MassDEP  
P.O. Box 4062  
Boston, MA  
02211

**\* Note:**  
For BWSC Permits, enter the LSP.

## A. Permit Information

WPA Form 3

1. Permit Code: 4-to-7-character code from permit instructions

Notice of Intent

3. Type of Project or Activity

Wetlands

2. Name of Permit Category

## B. Applicant Information – Firm or Individual

Spy Pond Condominium Association c/o Thayer & Associates, Inc.

1. Name of Firm - Or, if party needing this approval is an individual enter name below:

Mangano

Stephen

2. Last Name of Individual

3. First Name of Individual

4. MI

1812 Massachusetts Avenue

5. Street Address

Cambridge

MA

02140

(508) 982-2868

6. City/Town

7. State

8. Zip Code

9. Telephone #

10. Ext. #

SMangano@ThayerAssociates.com

11. Contact Person

12. e-mail address

## C. Facility, Site or Individual Requiring Approval

Spy Pond Condominium Association

1. Name of Facility, Site or Individual

20 Hamilton Road

2. Street Address

Arlington

MA

02474

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

8. DEP Facility Number (if Known)

9. Federal I.D. Number (if Known)

10. BWSC Tracking # (if Known)

## D. Application Prepared by (if different from Section B)\*

Allen & Major Associates, Inc.

1. Name of Firm or Individual

100 Commerce Way, Suite 5

2. Address

Woburn

MA

01801

781-305-9432

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

Jacqui Trainer

8. Contact Person

9. LSP Number (BWSC Permits only)

## E. Permit - Project Coordination

1. Is this project subject to MEPA review? ☐ yes ☒ no  
If yes, enter the project's EOEPA file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:

EOEA File Number

## F. Amount Due

### Special Provisions:

1. ☐ Fee Exempt: city, town, county, or district of the Commonwealth; federally recognized Indian tribe housing authority; municipal housing authority; the MBTA; or state agency if fee is \$100 or less. *There are no fee exemptions for BWSC permits, regardless of applicant status.*
2. ☐ Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).
3. ☐ Alternative Schedule Project (according to 310 CMR 4.05 and 4.10).
4. ☐ Homeowner (according to 310 CMR 4.02).

DEP Use Only

Permit No:

Rec'd Date:

Reviewer:

015155

Check Number

427.50

Dollar Amount

01.24.2024

Date

102 of 162

## BYLAW FILING FEES AND TRANSMITTAL FORM

### Rules:

1. Fees are payable at the time of filing the application and are non-refundable.
2. Fees shall be calculated per schedule below.
3. Town, County, State, and Federal Projects are exempt from fees.
4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).
5. A legal notice charge of \$150 is assessed on all applications for the cost of filing the public notice.

### Fee Schedule (ACC approved 1/8/15):

No./Area	\$	Category
		<b>(R1) RDA</b> - \$150 local fee, no state fee
1	200.00	<b>(N1) Minor Project</b> - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain).
		<b>(N2) Single Family Dwelling</b> - \$600
		<b>(N3) Multiple Dwelling Structures</b> - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding.
		<b>(N4) Commercial, Industrial, and Institutional Projects</b> - \$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffer zone disturbed.
		<b>(N5) Subdivisions</b> - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding.
		<b>(N6) Other Fees</b> - copies, printouts; per public records law
		<b>(N7) Minor Project Change</b> - \$50
		<b>(N8) Work on Docks, Piers, Revetments, Dikes, etc</b> - \$4 per linear foot
		<b>(N9) Resource Boundary Delineation (ANRAD)</b> - \$1 per linear foot
		<b>(N10) Certificate of Compliance (COC or PCOC)</b> - No charge if before expiration of Order, \$200 if after that date.
		<b>(N11) Amendments</b> - \$300 or 50% of original local filing fee, whichever is less.
		<b>(N12) Extensions</b> -
		<b>a. Single family dwelling or minor project</b> - \$100.
		<b>b. Other</b> - \$150.
		<b>(N13) Consultant Fee</b> -per estimate from consultant
<i>Subtotal</i>	<b>\$200.00</b>	
	<b>+ \$150</b>	Legal Notice Charge
<b>TOTAL</b>	<b>\$350.00</b>	



**Spy Pond Condominium**

c/o Thayer & Associates  
PO Box 400196  
Cambridge, MA 02140

CAMBRIDGE SAVINGS BANK  
CAMBRIDGE, MA 02138

53-7112/2113

015155

Date  
01/24/2024

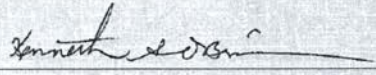
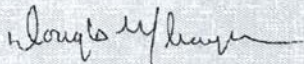
Check  
015155

Pay This Amount  
\$\*\*\*\*\*427.50

**Four Hundred Twenty-Seven and 50/100 DOLLARS\*\*\*\*\***

Pay to the order of

Mass DEP

Authorized Signature - Not Valid after 90 Days

DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT-SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT.

**Spy Pond Condominium**

c/o Thayer & Associates  
PO Box 400196  
Cambridge, MA 02140

CAMBRIDGE SAVINGS BANK  
CAMBRIDGE, MA 02138

53-7112/2113

015197

Date  
05/02/2024

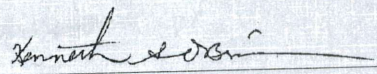
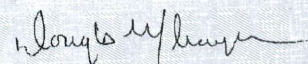
Check  
015197

Pay This Amount  
\$\*\*\*\*\*262.50

**Two Hundred Sixty-Two and 50/100 DOLLARS\*\*\*\*\***

Pay to the order of

Town of Arlington

Authorized Signature - Not Valid after 90 Days

DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT-SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈015197⑈ ⑆211371120⑆ 564826897⑈

**Spy Pond Condominium**

c/o Thayer & Associates  
PO Box 400196  
Cambridge, MA 02140

CAMBRIDGE SAVINGS BANK  
CAMBRIDGE, MA 02138

53-7112/2113

015198

Date  
05/02/2024

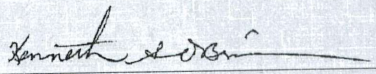
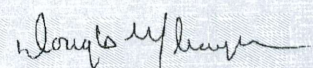
Check  
015198

Pay This Amount  
\$\*\*\*\*\*350.00

**Three Hundred Fifty and no/100 DOLLARS\*\*\*\*\***

Pay to the order of

Town of Arlington

Authorized Signature - Not 104 of 162 90 Days

DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT-SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈015198⑈ ⑆211371120⑆ 564826897⑈





MASSWILDLIFE

## DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581  
p: (508) 389-6300 | f: (508) 389-7890  
**MASS.GOV/MASSWILDLIFE**

February 28, 2024

Spy Pond Condominium Association c/o Thayer & Associates  
1812 Massachusetts Avenue  
Cambridge, Massachusetts 02140

Arlington Conservation Commission  
730 Massachusetts Ave  
Arlington, MA 02174

RE:     Applicant:               Spy Pond Condominium Association c/o Thayer & Associates  
         Project Location:       18 Hamilton Road, Spy Pond  
         Project Description:     Bank restoration at Spy Pond  
         DEP Wetlands File No.: 091-0358

**NHESP File No.:               24-17090**

Dear Commissioners and Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

The Division has determined that this Project, as currently proposed, will occur **within** the actual habitat of the following state-listed species:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Cyperus engelmannii</i>	Engelmann's Flatsedge	Plant	Threatened

State-listed species and their habitats are protected in accordance the MESA and the state-listed rare wetland wildlife habitat provision of the WPA.

### **Wetlands Protection Act (WPA)**

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of rare wildlife habitat and does not pertain to

other wildlife habitat issues that may be pertinent to the proposed project.

**Massachusetts Endangered Species Act (MESA)**

The MESA is administered by the Division, and prohibits the Take of state-listed species. The Take of state-listed species is defined as “in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat” of state-listed species (321 CMR 10.02).

Based on the information provided and the information contained in our database, the Division finds that this project, as currently proposed, **must be conditioned** to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)). **To avoid a prohibited Take of state-listed species, the conditions attached to this letter must be met.**

Provided the attached conditions are fully implemented and there are no changes to the project plans, this project will not result in a Take of state-listed species. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Melany Cheeseman, Endangered Species Review Assistant, at Melany.Cheeseman@mass.gov, (508) 389-6357.

Sincerely,



Jesse Leddick  
Assistant Director

cc:

Attachment: List of Conditions

## List of Conditions

Applicant: Spy Pond Condominium Association c/o Thayer & Associates  
Project Location: 18 Hamilton Road, Spy Pond  
Project Description: Bank restoration at Spy Pond  
NHESP File No.: 24-17090  
Heritage Hub Form ID: RC-83858  
Approved Plan: Site Redevelopment Plans for Spy Pond Bank Restoration  
Plan date: January 31, 2024 (no revisions; 3 sheets; prepared by Allen & Major)

To avoid a prohibited Take of state-listed species, the following condition(s) must be met:

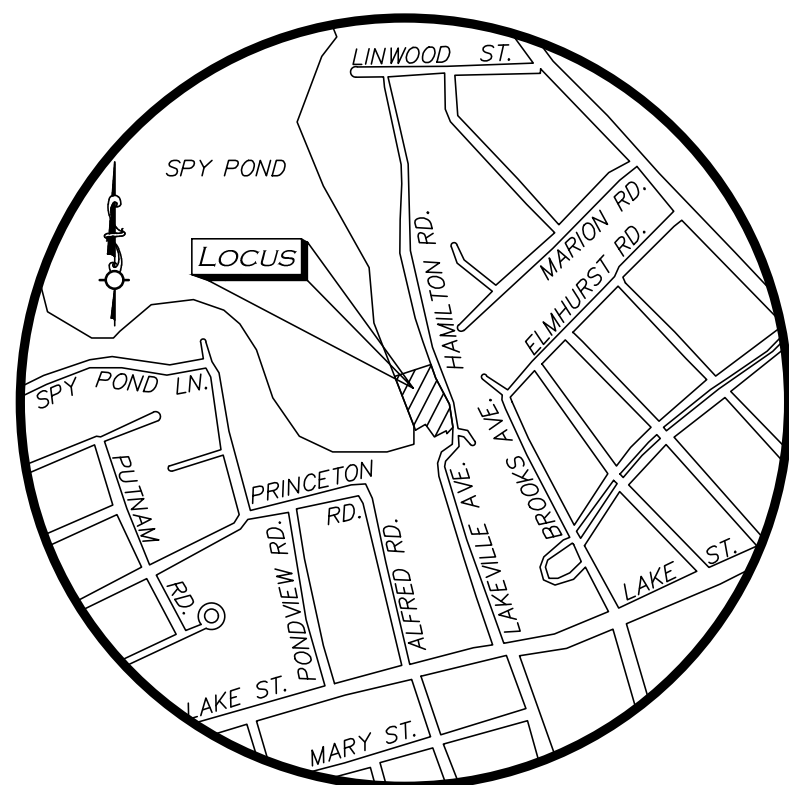
1. **Limits of Work:** No work or alteration to the soil, surface, or vegetation shall occur outside of the limits of work shown on the site plan unless otherwise approved in writing in advance by the Division.
2. **Plant Surveys and Avoidance:** Prior to the start of work, surveys for Engelmann's Flatsedge shall be conducted to delineate and avoid impacts to this plant species associated with the project.
  - a. Botanical field surveys must be conducted by a qualified botanist in appropriate habitats throughout all areas of proposed work and areas within 20 feet of the limit of work, including any access routes or staging areas, using methodologies consistent with the State-listed Species Habitat Assessment And Survey Guidelines: Plants (dated March 2016), see <https://www.mass.gov/doc/state-listed-species-habitat-assessment-and-survey-guidelines-plants/download>
  - b. The Division requires pre-approval of the botanist prior to conducting surveys. Please submit a copy of the botanist's resume/curriculum vita for review.
  - c. The approved botanist shall submit to the Division a time-table and survey protocol for written approval prior to initiation of field work. The survey protocol shall list the specific taxonomic characteristics for definitive identification as well as the characteristics of similar or easily confused species.
  - d. If state-listed plants are encountered within the proposed work areas or within 20 feet of the limit of work, the Applicant must provide a detailed protection plan specifying measures to ensure the project does not result in a Take of state-listed plants to the Division for review and written approval. Please note the protection plan may necessitate additional or subsequent botanical survey work to implement required Take avoidance measures.
3. **Authorization Duration:** This authorization is valid for 5 years from the date of issuance. Work may be completed at any time during this 5-year period in compliance with the conditions herein. Thereafter, the Applicant must re-file pursuant to the MESA.
4. **Use of Native Species:** Unless otherwise approved in writing by the Division, all seed and plantings no thereafter maintained as lawn shall be native to the County, as provided in The Vascular Plants of Massachusetts: A County Checklist, First Revision (Dow Cullina, Connolly, Sorrie & Somers, 2011). <https://www.mass.gov/lists/natural-heritage-forms-and-guidelines#the-vascular-plants-of-massachusetts->
5. **Compliance Report:** Within thirty (30) days of the completion of work or as otherwise approved by the Division, the Applicant shall submit a brief written report to the Division documenting compliance with the condition(s) required herein, including representative photographs or supplemental documentation as necessary.



**SECTION 5.0**  
**SITE DEVELOPMENT PLANS**  
**(See Attached Plans)**



# SITE REDEVELOPMENT PLANS FOR SPY POND BANK RESTORATION 18 HAMILTON ROAD ARLINGTON, MA



*LOCUS MAP*  
(NOT TO SCALE)

**OWNER/APPLICANT:**  
CONDOMINIUM TRUST  
C/O THAYER & ASSOCIATES, INC.  
1812 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02140

**SITE ENGINEER & SURVEYOR:**  
ALLEN & MAJOR ASSOCIATES, INC.  
100 COMMERCE WAY  
WOBURN, MA 01801

**ENVIRONMENTAL CONSULTANT:**  
GODDARD CONSULTING LLC  
291 MAIN STREET, SUITE 8  
NORTHBOROUGH, MA 01532



## LIST OF DRAWINGS

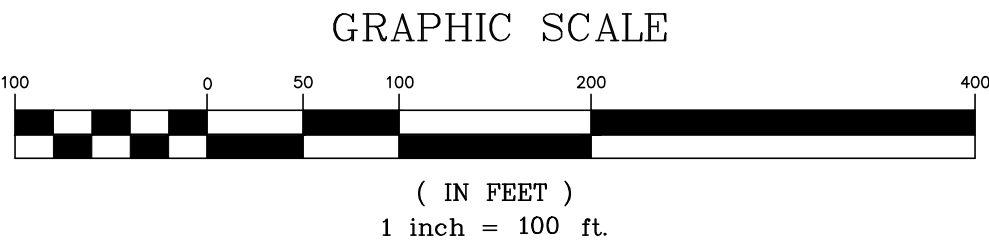
DRAWING TITLE	SHEET NO.	ISSUED	REVISED
EXISTING CONDITIONS PLAN	V-100	01.31.2024	
SITE PLAN	C-101	01.31.2024	05.14.2024
DETAILS	C-501	01.31.2024	05.14.2024
DETAILS	C-502	--	05.14.2024



*Carlton M. Quinn*  
PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

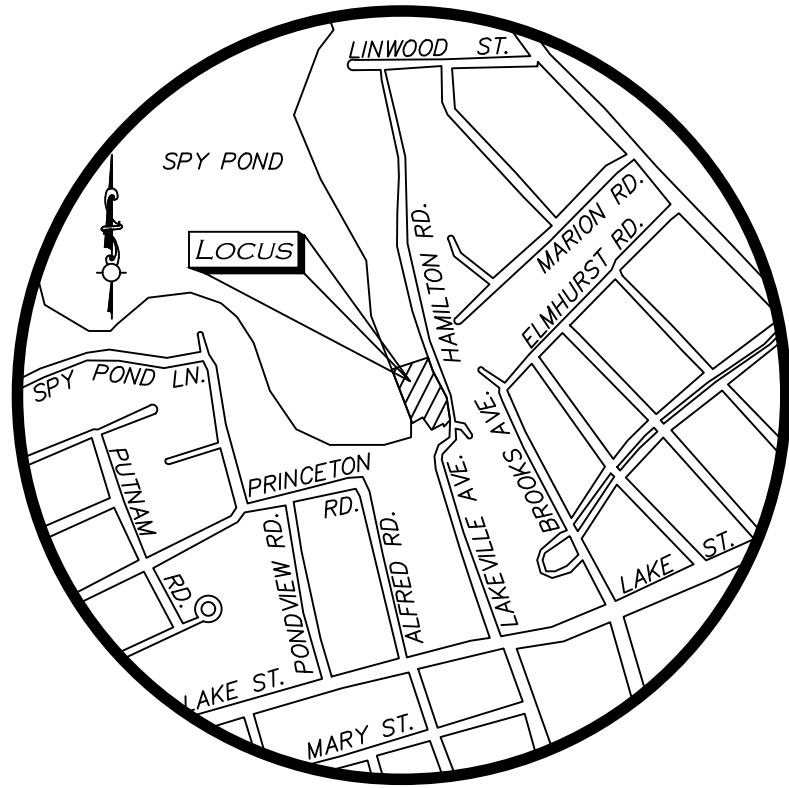
PREPARED BY:  
  
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civil engineering • land surveying  
environmental consulting • landscape architecture  
www.allenmajor.com  
100 COMMERCE WAY, SUITE 5  
WOBURN MA 01801-8501  
TEL: (781) 935-6889  
FAX: (781) 935-2896

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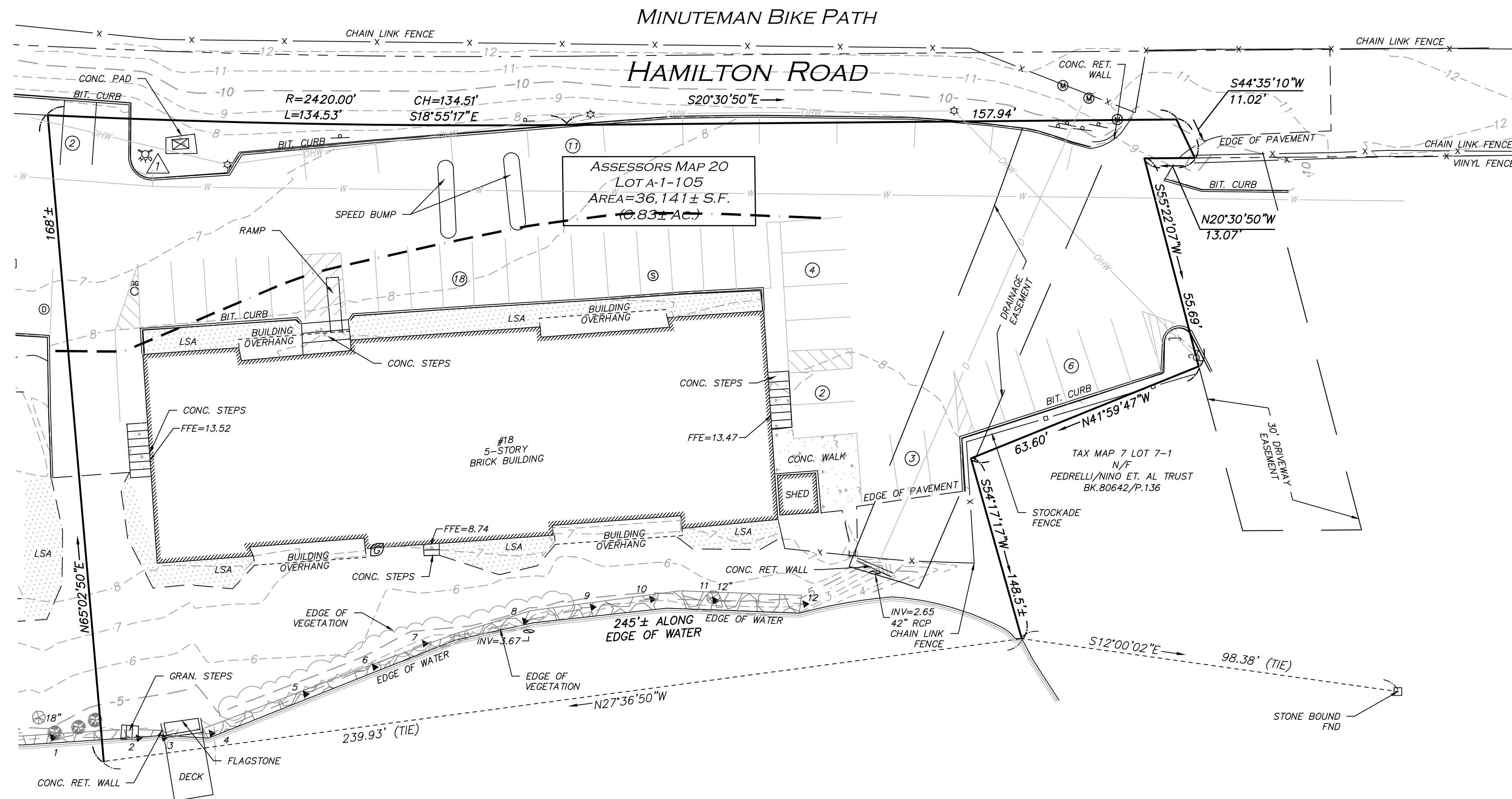


REVISED: MAY 14, 2024  
ISSUED FOR CONSERVATION COMMISSION: JANUARY 31, 2024





LOCUS MAP  
(NOT TO SCALE)

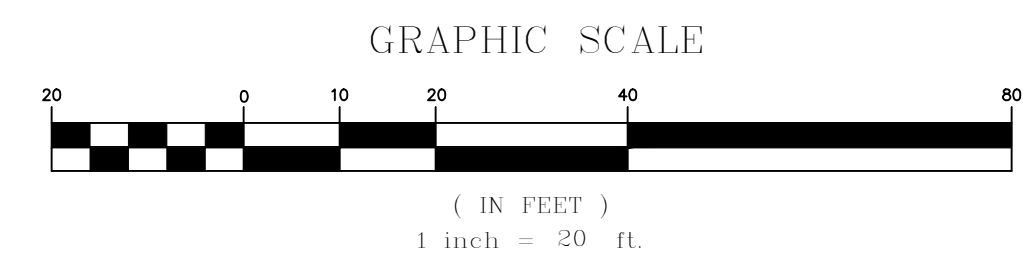


LEGEND	
STONE BOUND (SB)	□
PK NAIL	△
PK NAIL	△
DRAIN MANHOLE (DMH)	⊙
SEWER MANHOLE (SMH)	⊙
MISC. MANHOLE (MH)	⊙
UTILITY POLE W/LIGHT	⊙
GUY WIRE	—
FIRE HYDRANT	⊙
GAS GATE	⊙
INVERT (INV)	⊙
LIGHT	⊙
TREE	⊙
BUSH / SHRUB	⊙
SIGN	⊙
TRANSFORMER	⊙
GAS METER	⊙
PARKING SPACE COUNT	⊙
CONCRETE	⊙
LANDSCAPED AREA (LSA)	⊙
RIP-RAP	⊙
BUILDING	⊙
BUILDING OVERHANG	⊙
1' CONTOUR	⊙
5' CONTOUR	⊙
PROPERTY LINE	⊙
ABUTTERS LINE	⊙
EASEMENT LINE	⊙
CONCRETE RETAINING WALL	⊙
EDGE OF PAVEMENT	⊙
EDGE OF WATER	⊙
CURB	⊙
CHAIN LINK FENCE	⊙
STOCKADE FENCE	⊙
VINYL FENCE	⊙
GUARDRAIL	⊙
WATER LINE	⊙
SEWER LINE	⊙
DRAIN LINE	⊙
OVERHEAD WIRES	⊙
FINISHED FLOOR ELEVATION	⊙
BITUMINOUS	⊙
CONCRETE	⊙
GRANITE	⊙
REINFORCED CONCRETE PIPE	⊙
FOUND	⊙
NOW OR FORMERLY	⊙
BOOK	⊙
PAGE	⊙

LOCUS REFERENCES  
-TOWN OF ARLINGTON ASSESSORS MAP 20, LOT A-1-105  
-DEED BOOK 35719, PAGE 596

PLAN REFERENCES  
-PLAN BOOK 1975, PLAN 785

- NOTES
- NORTH ARROW IS BASED ON MASSACHUSETTS GRID COORDINATE SYSTEM (MAINLAND ZONE) (NAD 83).
  - BOOK/PAGE AND PLAN REFERENCES ARE TAKEN FROM MIDDLESEX (SOUTH) REGISTRY OF DEEDS IN CAMBRIDGE, MA.
  - VERTICAL DATUM IS NAVD 88.
  - CONTOUR INTERVAL IS ONE FOOT (1').



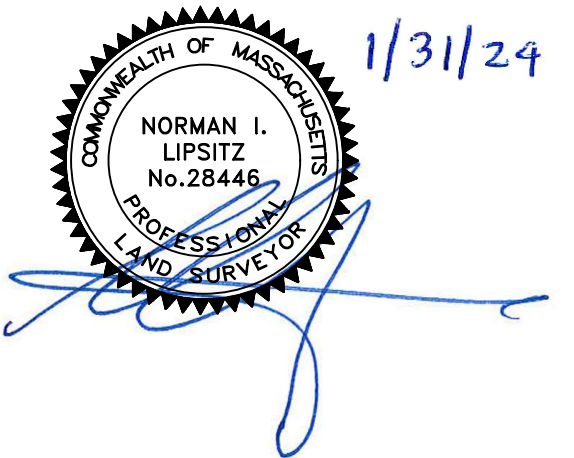
N:\PROJECTS\0510-49\SURVEY\DRAWINGS\CURRENT\S-510-49-EC.DWG

PARKING SUMMARY	
STANDARD STALLS	46
HANDICAPPED STALLS	0
TOTAL STALLS	46

BENCHMARK SUMMARY		
TBM #	DESCRIPTION	ELEV.
△	HYDRANT FLANGE BOLT HYDRANT	8.93

WE HEREBY CERTIFY THAT:  
THIS PLAN IS THE RESULT OF AN ACTUAL ON THE GROUND SURVEY PERFORMED ON OR BETWEEN NOVEMBER 30, 2023 AND DECEMBER 1, 2023.  
OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT CITY OF WORCESTER ASSESSOR'S INFORMATION.  
THE ABOVE IS CERTIFIED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.

ALLEN & MAJOR ASSOCIATES, INC.  
Jan. 31, 2024  
PROFESSIONAL LAND SURVEYOR FOR ALLEN & MAJOR ASSOCIATES, INC.



REV DATE DESCRIPTION  
APPLICANT/OWNER:  
THAYER & ASSOCIATES, INC  
1812 MASSACHUSETTS AVENUE  
CAMBRIDGE, MA 02140

PROJECT:  
18 HAMILTON ROAD  
ARLINGTON, MA

PROJECT NO. 510-49 DATE: 01/31/24  
SCALE: 1" = 20' DWG. NAME: S-510-49-EC  
DRAFTED BY: KMT CHECKED BY: AUR

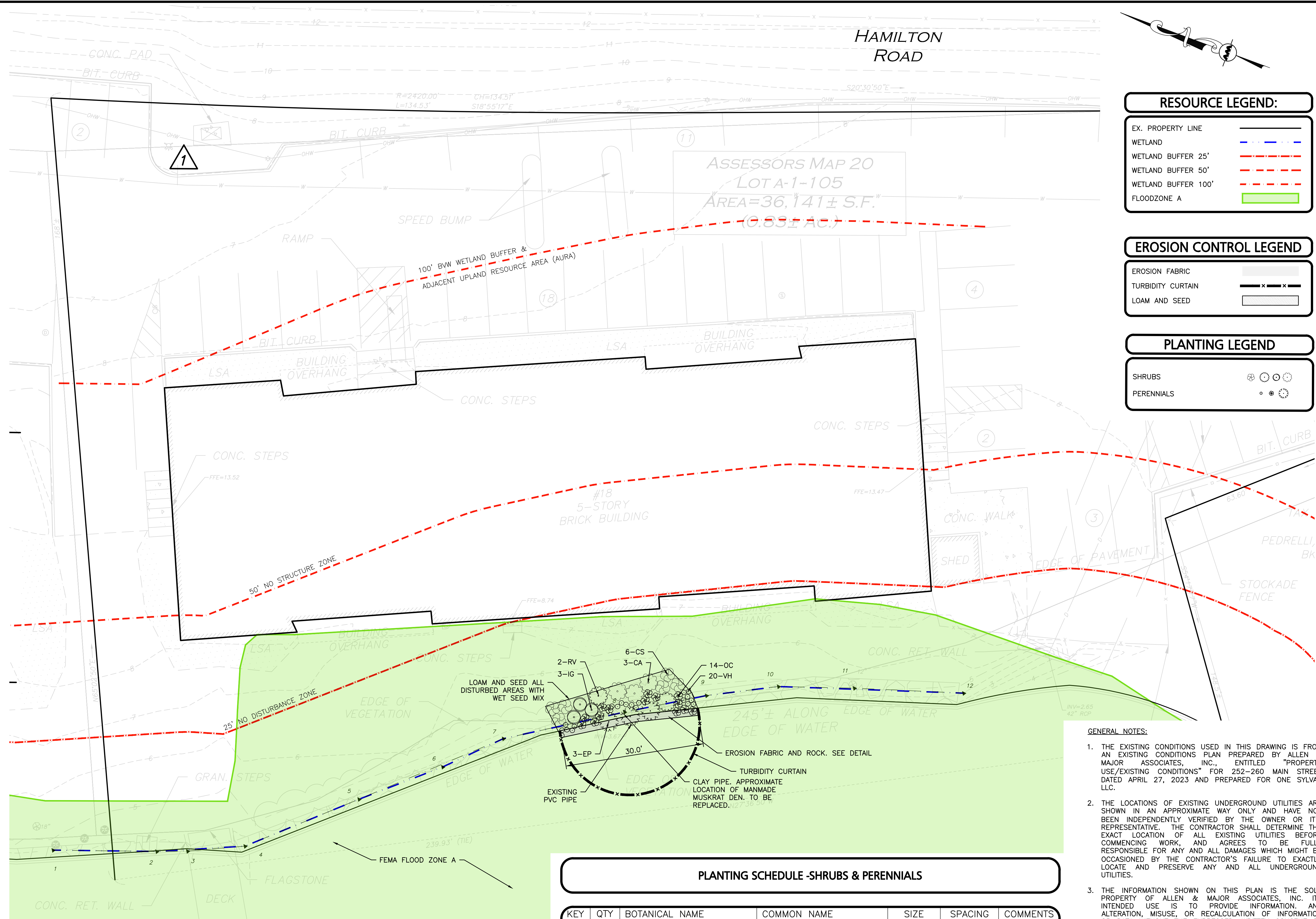
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civil engineering • land surveying  
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DRAWING TITLE: EXISTING CONDITIONS SHEET No. 1  
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N:\PROJECTS\0510-49 (CIVIL DRAWINGS) CURRENT\G-0510-49 SITE PLAN.DWG



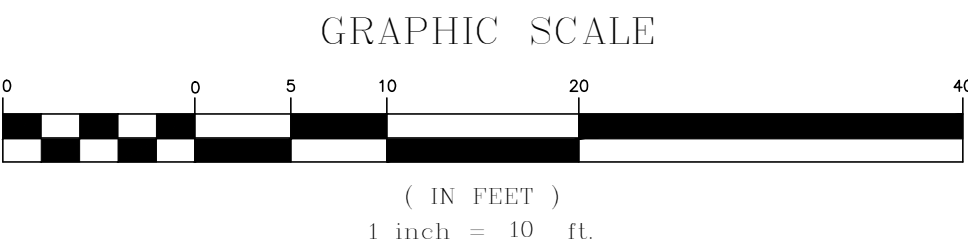
RESOURCE LEGEND:	
EX. PROPERTY LINE	---
WETLAND	---
WETLAND BUFFER 25'	---
WETLAND BUFFER 50'	---
WETLAND BUFFER 100'	---
FLOODZONE A	---

EROSION CONTROL LEGEND	
EROSION FABRIC	---
TURBIDITY CURTAIN	---
LOAM AND SEED	---

PLANTING LEGEND	
SHRUBS	---
PERENNIALS	---

#### GENERAL NOTES:

- THE EXISTING CONDITIONS USED IN THIS DRAWING IS FROM AN EXISTING CONDITIONS PLAN PREPARED BY ALLEN & MAJOR ASSOCIATES, INC., ENTITLED "PROPERTY USE/EXISTING CONDITIONS" FOR 252-260 MAIN STREET DATED APRIL 27, 2023 AND PREPARED FOR ONE SYLVAN LLC.
- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR IT'S REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- THE INFORMATION SHOWN ON THIS PLAN IS THE SOLE PROPERTY OF ALLEN & MAJOR ASSOCIATES, INC. ITS INTENDED USE IS TO PROVIDE INFORMATION. ANY ALTERATION, MISUSE, OR RECALCULATION OF INFORMATION OR DATA WITHOUT THE EXPRESSED, WRITTEN CONSENT OF ALLEN & MAJOR ASSOCIATES, INC. IS STRICTLY PROHIBITED.
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#### PLANTING SCHEDULE -SHRUBS & PERENNIALS

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
SHRUBS						
CA	3	CLETHRA ALNIFOLIA	SUMERSWEET	#3	48" O.C.	STAGGERED
CS	6	CORNUS SERICEA 'FARROW' ARCTIC FIRE	ARCTIC FIRE REDOSIER DOGWOOD	#3	36" O.C.	STAGGERED
IG	3	ILEX GLABRA 'COMPACTA'	COMPACT INKBERRY	#3	36" O.C.	STAGGERED
RV	2	RHODODENDRON VISCOSUM	SWAMP AZALEA	#3	48" O.C.	STAGGERED
PERENNIALS						
EP	3	EUTROCHIU PURPUREUM 'LITTLE JOE'	SWEET JOE PYE WEED	#3	48" O.C.	STAGGERED
OC	14	OSMUNDASTRUM CINNAMOMEUM	CINNAMON FERN	#2	24" O.C.	STAGGERED
VH	20	VERBENA HASTATA	BLUE Vervain	#1	12" O.C.	STAGGERED



05.14.2024  
PROFESSIONAL LANDSCAPE ARCHITECT FOR  
ALLEN & MAJOR ASSOCIATES, INC.



PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
1	05.14.2024	RESPONSE TO TOWN COMMENTS

APPLICANT/OWNER:  
THAYER & ASSOCIATES, INC.  
1812 MASSACHUSETTS AVENUE  
CAMBRIDGE, MA 02140

PROJECT:  
SPY POND BANK  
RESTORATION  
ARLINGTON, MA

PROJECT NO.	0510-49	DATE:	01.31.2024
SCALE:	1" = 10'	DWG. NAME:	C-0510-49
DESIGNED BY:	JBT	CHECKED BY:	CMQ

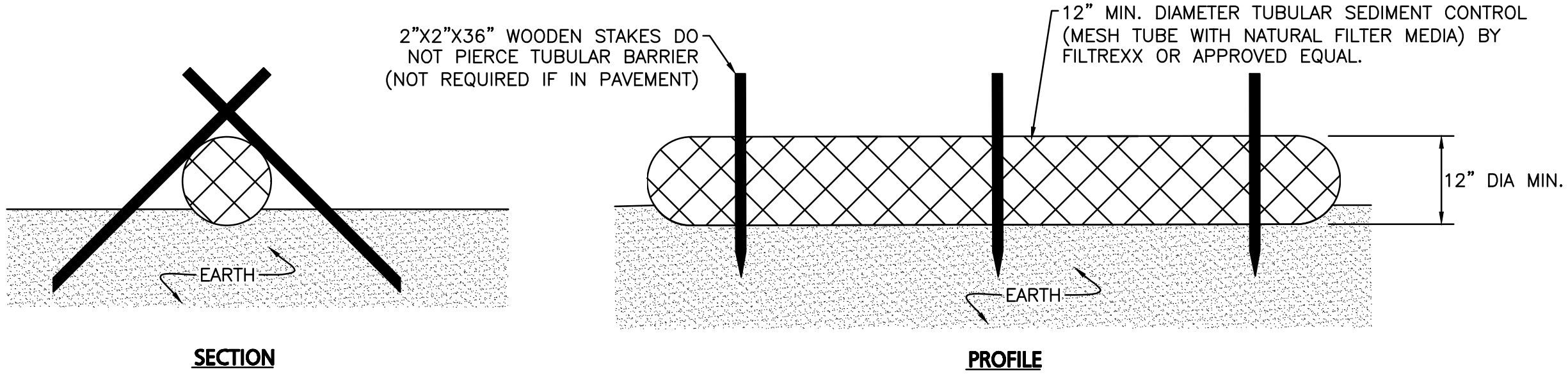
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civil engineering • land surveying  
environmental consulting • landscape architecture  
www.allenmajor.com  
100 COMMERCE WAY, SUITE 5  
WOBURN MA 01801  
TEL: (781) 935-6889  
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DRAWING TITLE: SITE PLAN  
SHEET No. C-101

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NOTES:

1. ALL MATERIALS TO MEET MANUFACTURERS SPECIFICATIONS.
2. INSTALL WOODEN STAKES IN A CRISS-CROSS PATTERN EVERY 8' ON CENTER.
3. OVERLAP TUBULAR BARRIER SEGMENTS A MINIMUM OF 12".
4. WHERE THE TUBULAR BARRIERS REQUIRE REPAIR OR SEDIMENT REMOVAL, IT WILL BE COMPLETED BY THE CONTRACTOR AT NO ADDITIONAL COST.
5. AT A MINIMUM, THE CONTRACTOR SHALL REMOVE SEDIMENTS COLLECTED AT THE BASE WHEN THEY REACH 1/3 THE EXPOSED HEIGHT OF THE BARRIER.

TUBULAR SEDIMENT BARRIER  
NOT TO SCALE

1



Type 1: Barrier

Application: ponds, shallow lakes, small streams and marshes

Depth Range: 2' - 20'

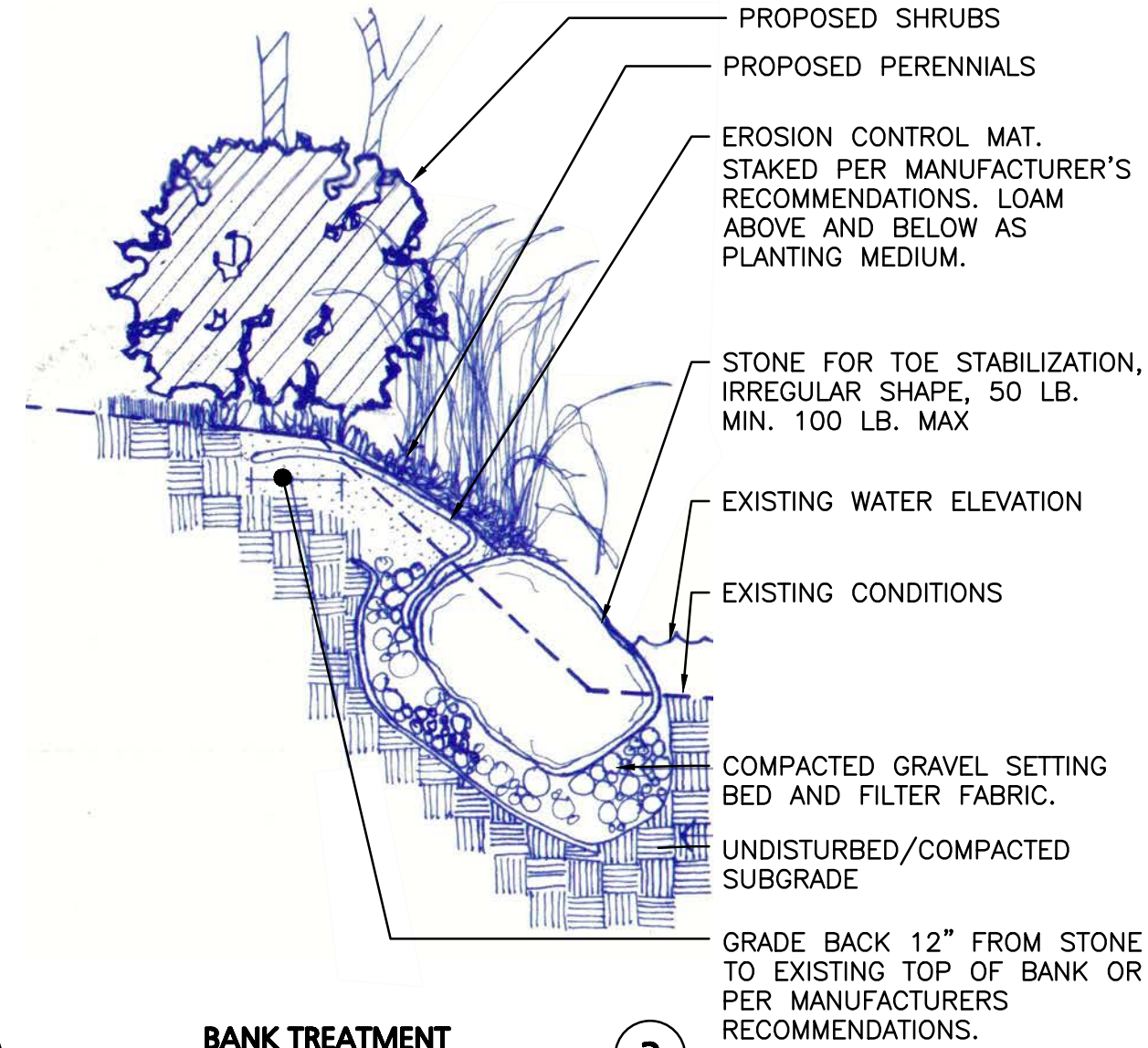
Type 1	Fabric	Float	Chain	Cable	Options
DOT Version	15oz PVC Polyester	6" - 8"	1/4"	X	Float Size
Light Duty	14oz PVC Polyester	4" - 6"	3/16"	X	Float Size

TYPE 1 TURBIDITY CURTAIN WITH PLAIN SKIRT



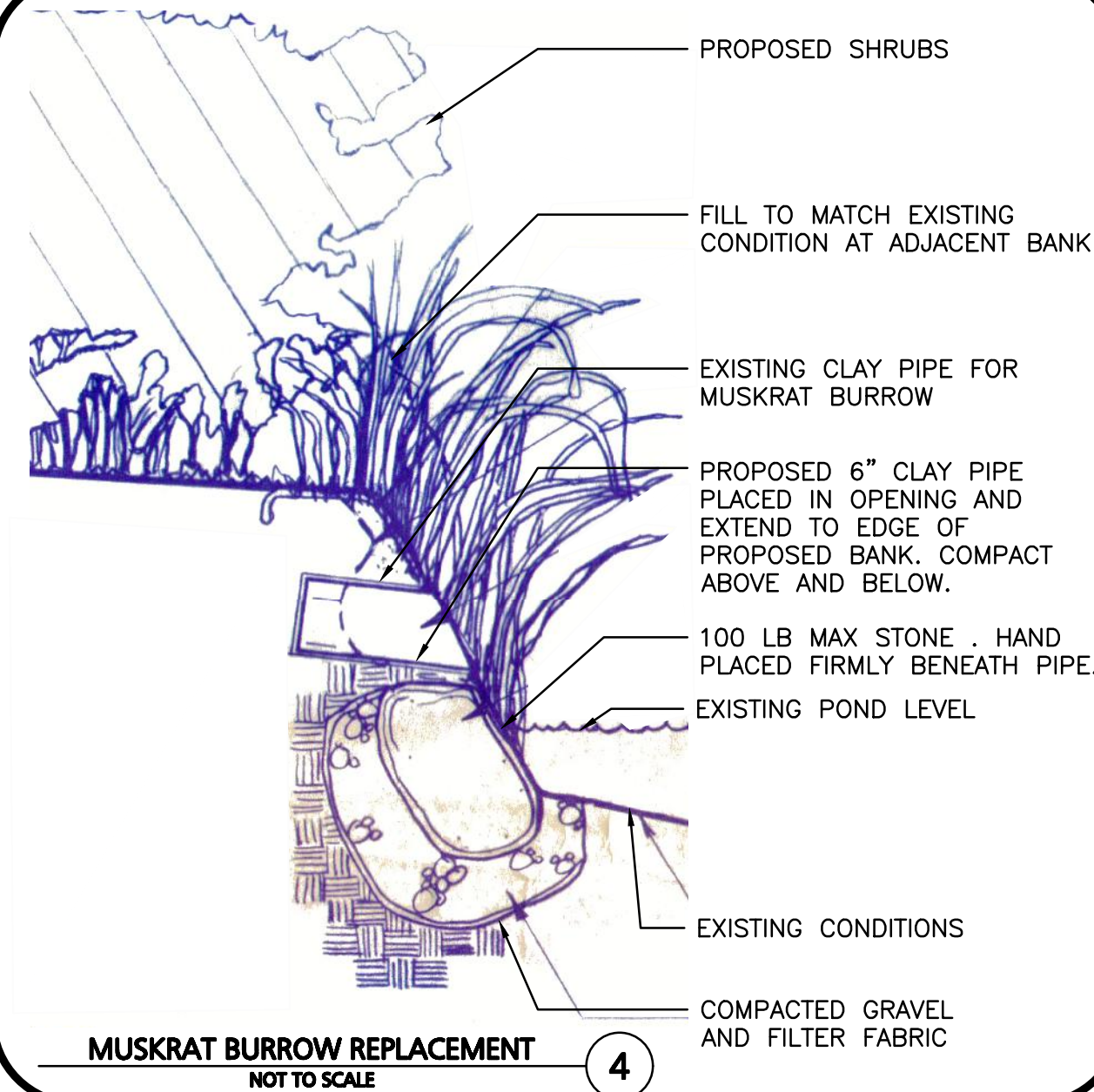
TURBIDITY CURTAIN  
NOT TO SCALE

2



BANK TREATMENT  
NOT TO SCALE

3



MUSKRAT BURROW REPLACEMENT  
NOT TO SCALE

4



PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
1	05.14.2024	RESPONSE TO TOWN COMMENTS

APPLICANT/OWNER:

THAYER & ASSOCIATES, INC.  
1812 MASSACHUSETTS AVENUE  
CAMBRIDGE, MA 02140

PROJECT:

SPY POND BANK  
RESTORATION  
ARLINGTON, MA

PROJECT NO.	0510-49	DATE:	01.31.2024
SCALE:	AS SHOWN	DWG. NAME:	C-0510-49
DESIGNED BY:	JBT	CHECKED BY:	CMQ

PREPARED BY:

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civil engineering • land surveying  
environmental consulting • landscape architecture  
www.allenmajor.com  
100 COMMERCE WAY, SUITE 5  
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DRAWING TITLE:	SHEET No.
DETAILS	C-501



LANDSCAPE NOTES

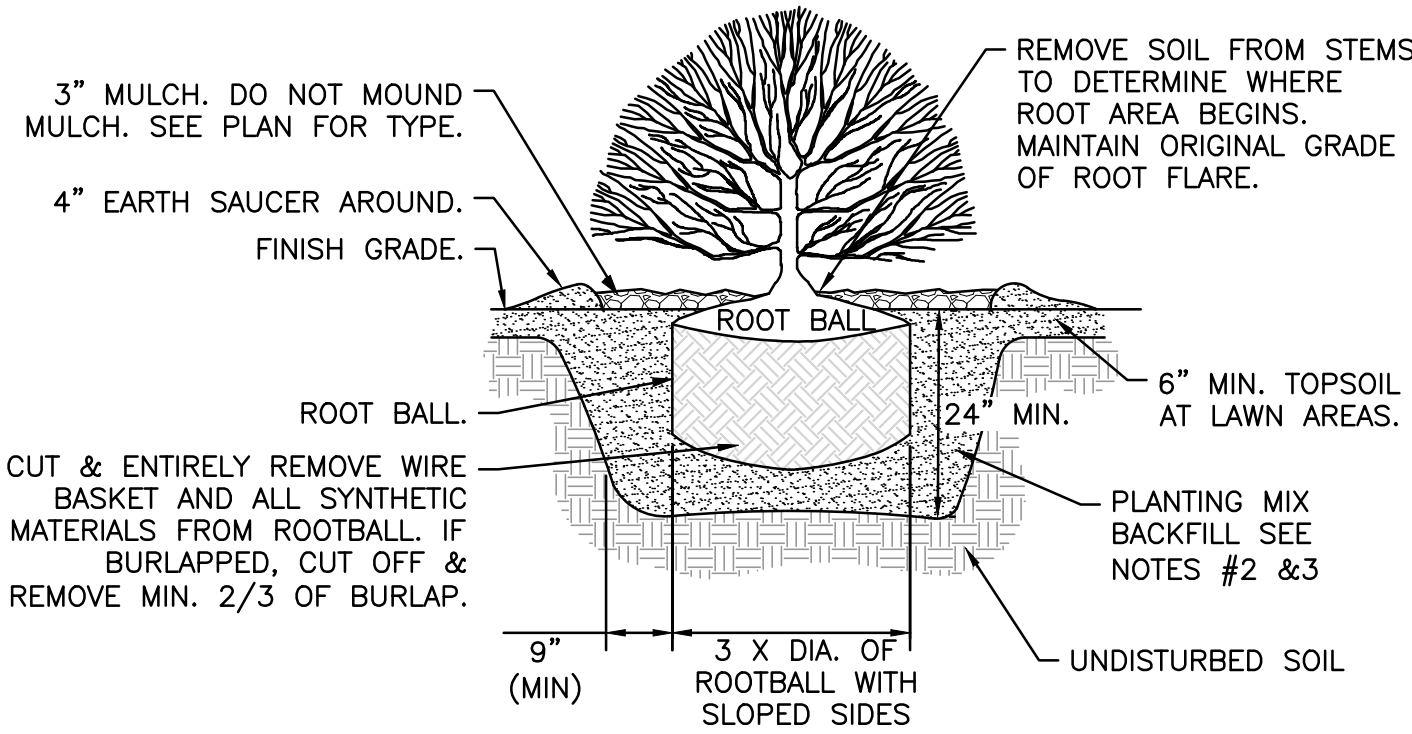
- ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN OF ARLINGTON.
- PLANTING PLAN IS DIAGRAMMATIC IN NATURE. FINAL PLACEMENT OF PLANTS TO BE APPROVED BY THE LANDSCAPE ARCHITECT IN THE FIELD.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES, ANY PERMITTING AGENCIES, AND "DIG-SAFE" (1-888-344-7233) AT LEAST 72 HOURS IN ADVANCE OF ANY WORK THAT WILL REQUIRE EXCAVATION. CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE OF NAY CONFLICTS IN WRITING.
- NO PLANT MATERIAL SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- CONTRACTOR SHALL VERIFY QUANTITIES SHOWN ON PLANT LIST. QUANTITIES SHOWN ON PLANS SHALL GOVERN OVER PLANT LIST.
- ANY PROPOSED PLANT SUBSTITUTIONS MUST BE APPROVED IN WRITING BY OWNER'S REPRESENTATIVE AND LANDSCAPE ARCHITECT.
- ALL PLANT MATERIALS INSTALLED SHALL MEET THE GUIDELINES ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY AMERICANHORT (LATEST EDITION).
- ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR FOLLOWING DATE OF ACCEPTANCE. ANY PLANT MATERIALS WHICH DIE WITHIN THE ONE YEAR PLANT GUARANTEE PERIOD WILL BE REPLACED BY THE LANDSCAPE CONTRACTOR. OWNERS TO COORDINATE DIRECTLY WITH THE LANDSCAPE CONTRACTOR FOR REPLACEMENT PLANTINGS.
- ALL DISTURBED AREAS NOT OTHERWISE NOTED SHALL RECEIVE 6" OF SUITABLE LOAM & SEED.
- LAWNS WITH 3:1 OR GREATER SLOPES SHALL BE PROTECTED WITH AN EROSION CONTROL BLANKET.
- ANY FALL TRANSPLANTING HAZARD PLANTS SHALL BE DUG IN THE SPRING AND STORED FOR FALL PLANTING.
- ALL PLANT BEDS TO RECEIVE 3" OF PINE BARK MULCH. GROUNDCOVER AREAS SHALL RECEIVE 1" OF PINE BARK MULCH.
- CONTRACTOR RESPONSIBLE FOR WATERING AND RESEEDING OF BARE SPOTS UNTIL A UNIFORM STAND OF VEGETATION IS ESTABLISHED AND ACCEPTED.
- SOIL SAMPLES, TESTS, AND SHOP DRAWINGS SHALL BE PROVIDED TO THE LANDSCAPE ARCHITECT OR THE OWNER FOR APPROVAL PRIOR TO CONSTRUCTION.
- SLOPES AT 2:1 SHOULD HAVE 6" LOAM & SEED. SEEDING OF 2:1 SLOPES SHALL OCCUR IN THE DRY & AFTER SLOPES ARE COMPACTED.
- ALL LANDSCAPED AREAS WITH SHRUBS AND PERENNIALS TO HAVE 2 FEET MINIMUM DEPTH OF TOPSOIL. TWO FEET OF TOPSOIL AROUND SHRUBS DOES NOT INCLUDE AMENDED PLANTING SOIL WITHIN TSHRUB PIT FOR FULL DEPTH OF ROOTBALLS. SEE PLANTING DETAILS FOR PLANTING DEPTH AT SHRUBS. ALL AREAS OF LOAM AND SEED TO HAVE 6" MINIMUM DEPTH OF TOPSOIL. TOPSOIL TO BE TESTED BY CONTRACTOR, AND APPROVED BY A&M PRIOR TO PURCHASE AND OR PLACEMENT. GENERAL, DEMOLITION, AND LANDSCAPE CONTRACTORS TO COORDINATE PROPER DEPTH OF EXISTING MATERIAL REMOVAL ACROSS SITE SO THAT 2 FEET MINIMUM AND 6" MINIMUM DEPTHS OF PROPOSED TOPSOIL NOTED ABOVE ARE MET. SEE TOPSOIL DETAIL.
- PRIOR TO LAYING TOPSOIL, ALL SUBSOIL (BELOW PROPOSED TOPSOIL) TO BE TILLED TO A DEPTH OF AT LEAST 18" TO REMOVE CONSTRUCTION COMPACTION AND ALLOW FOR PROPER DRAINAGE OF TOPSOILS.
- ALL SEEDING TO BE COMPLETED "IN SEASON" BETWEEN APRIL 1 TO JUNE 15 OR AUGUST 15 TO OCTOBER 1, EXCEPT FOR RE-SEEDING OF BARE SPOTS. AT ALL SLOPED AREAS CONTRACTOR TO INSTALL COCONUT FIBER JUTE MESH NETTING ON ALL SLOPES 3:1 AND GREATER. CONTRACTOR TO ALSO BE RESPONSIBLE FOR RE-GRADING AND RE-SEEDING ALL DISTURBED, ERODED, OR BARE SPOTS & UNTIL SLOPES ARE FULLY STABLE. CONTRACTOR RESPONSIBLE FOR ALL MAINTENANCE UNTIL FINAL ACCEPTANCE OF LAWN AREAS INCLUDING: WATERING, ADDING FERTILIZERS AND LIME AND MOWING.
- AFTER SEEDING, ALL AREAS TO BE LIGHTLY MULCHED WITH WEED FREE STRAW & CONTINUALLY WATERED EVERY DAY SO THAT SEED IS KEPT MOIST UNTIL SEED IS ESTABLISHED & APPROVED BY A&M LANDSCAPE ARCHITECT (USE NO HAY).
- IF THERE IS NO PROPOSED IRRIGATION SYSTEM AFTER PLANTINGS & LAWNS & SEEDED AREAS HAVE BEEN INSTALLED, LANDSCAPE CONTRACTOR RESPONSIBLE TO TEMPORARILY WATER ALL INSTALLED PLANTINGS, SEEDED AREAS, & LAWN AREAS MIN. 4 TIMES A WEEK DURING INITIAL ESTABLISHMENT PERIOD OF 6 MONTHS AFTER ALL LANDSCAPING IS INSTALLED.

EROSION CONTROL/RESTORATION WET SEED MIX:

NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DETENTION BASINS AND MOIST SITES  
(BY NEW ENGLAND WETLAND PLANTS INC. - NEWP.COM)  
APPLICATION RATE: 35LBS/ACRE | 1250 SQ FT/LB

ITEM	BOTANICAL NAME	COMMON NAME	INDICATOR
1.	ELYMUS RIPARIUS	RIVERBANK WILD RYE	FACW
2.	FESTUCA RUBRA	RED FESCUE	FACU
3.	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	FACU
4.	PANICUM VIRGATUM	SWITCH GRASS	FAC
5.	ANDROPOGON GERARDII	BIG BLUESTEM	FAC
6.	VERBENA HASTATA	BLUE VERVAIN	FACW
7.	AGROSTIS PERENNANS	UPLAND BENTGRASS	FACU
8.	BIDENS CERNUA	NODDING BUR MARIGOLD	OBL
9.	EUPATORIUM FISTULOSUM	HOLLOW-STEM JOE PYE WEED	FACW
10.	EUPATORIUM PERFOLIATUM	BONESET	FACW
11.	ASTER NOVÆ-ANGLAE	NEW ENGLAND ASTER	FACW
12.	SCIRPUS CYPERINUS	WOOL GRASS	FACW
13.	JUNCUS EFFUSUS	SOFT RUSH	FACW+

THE NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DETENTION BASINS AND MOIST SITES CONTAINS A SELECTION OF NATIVE GRASSES AND WILDFLOWERS DESIGNED TO COLONIZE GENERALLY MOIST, RECENTLY DISTURBED SITES WHERE QUICK GROWTH OF VEGETATION IS DESIRED TO STABILIZE THE SOIL SURFACE. IT IS AN APPROPRIATE SEED MIX FOR ECOLOGICALLY SENSITIVE RESTORATIONS THAT REQUIRE STABILIZATION AS WELL AS LONG-TERM ESTABLISHMENT OF NATIVE VEGETATION. THIS MIX IS PARTICULARLY APPROPRIATE FOR DETENTION BASINS THAT DO NOT HOLD STANDING WATER. MANY OF THE PLANTS IN THIS MIX CAN TOLERATE INFREQUENT INUNDATION, BUT NOT CONSTANT FLOODING. THE MIX MAY BE APPLIED BY HAND, BY MECHANICAL SPREADER, OR BY HYDROSEEDER. AFTER SOWING, LIGHTLY RAKE, ROLL OR CULTIPACK TO INSURE GOOD SEED-TO-SOIL CONTACT. BEST RESULTS ARE OBTAINED WITH A SPRING OR LATE SUMMER SEEDING. LATE FALL AND WINTER DORMANT SEEDING REQUIRES AN INCREASE IN THE APPLICATION RATE. A LIGHT MULCHING OF CLEAN, WEED-FREE STRAW IS RECOMMENDED.

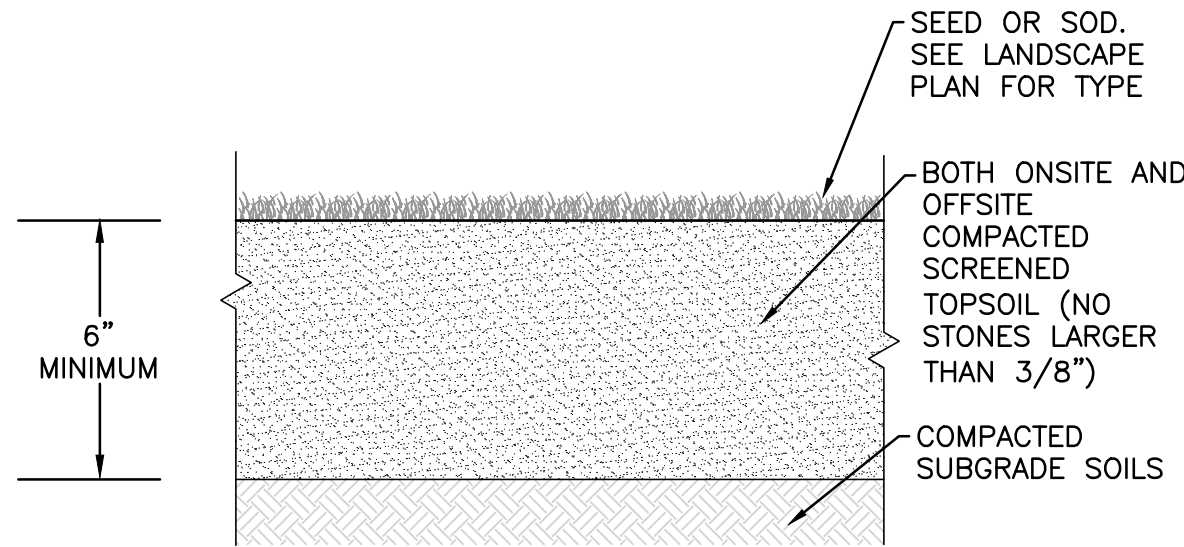


NOTES:

- ALL SHRUBS ROOT FLARE SHALL HAVE THE SAME RELATIONSHIP TO FINISH GRADE AFTER PLANTING AS THEY HAD AT THE ORIGINAL NURSERY SETTING.
- BACKFILL WITH PLANTING MIX. PLANT MIX TO BE: 50% NATIVE TOPSOIL, 20% COMPOST (LEAVES & ORGANIC MATERIAL, NO ASH) 20% PEAT MOSS, 10% SAND.
- ADD MYCORRHIZA SOIL ADDITIVES AND SLOW RELEASE FERTILIZER WHEN PLANT HOLES ARE 50% FILLED. WATER THOROUGHLY AT COMPLETION.
- SHRUB BEDS TO HAVE 24" MIN. OF CONTINUOUS PLANTING SOIL.

SHRUB  
NOT TO SCALE

1



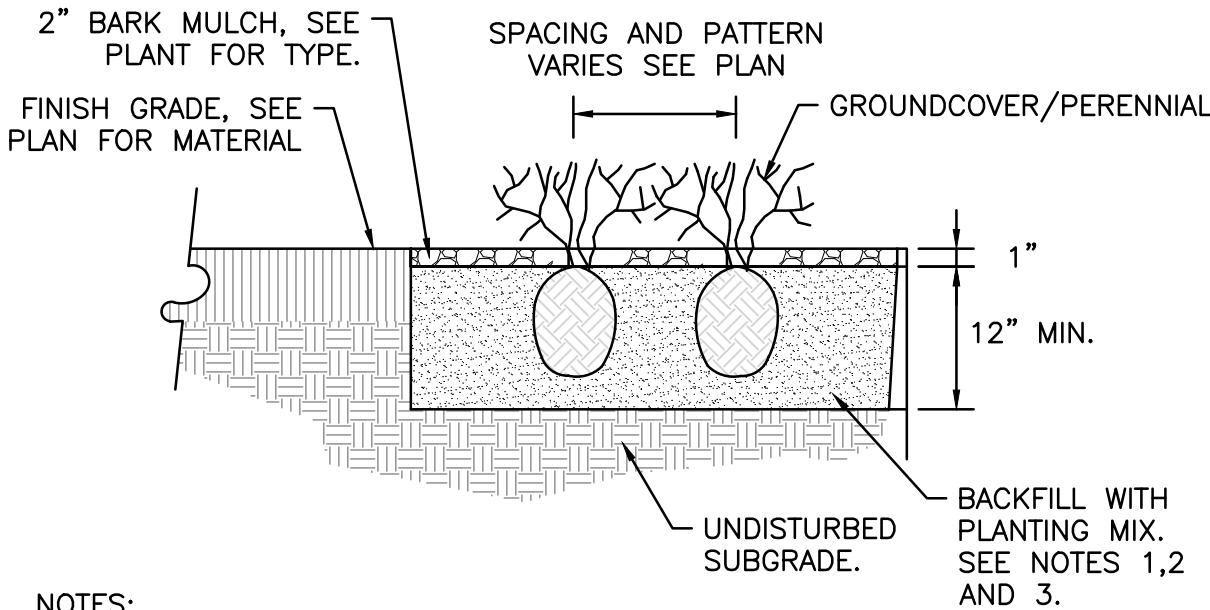
TEXTURE CLASS	% OF TOTAL WEIGHT
SAND	45% - 65%
SILT	15% - 35%
CLAY	5% - 20%
SIEVE	% PASSING
3/8"	100
NO. 4	85-100
NO. 40	60-85
NO. 100	38-60
NO. 200	28-40

NOTES:

- TOP OF LOAM (TOPSOIL) IS FINISH GRADE.
- ALL TOPSOIL (BOTH ONSITE AND OFFSITE SOURCES) SHALL BE COMPOSED OF A NATURAL, FERTILE, FRIABLE SOIL TYPICAL OF CULTIVATED TOPSOILS OF THE LOCALITY. SOIL SHALL BE SUITABLE FOR THE GERMINATION OF SEEDS AND SUPPORT OF VEGETATIVE GROWTH, WITH ADDITIVES, IF REQUIRED, TO ACHIEVE PARTICLE DISTRIBUTION AND ORGANIC CONTENT BELOW. TOPSOIL SHALL BE TAKEN FROM A WELL-DRAINED, ARIABLE SITE, FREE OF SUBSOIL, LARGE STONES, EARTH CLOUDS, STICKS, TRASH, STUMPS, CLAY LUMPS, ROOTS, OTHER OBJECTIONABLE, EXTRANEOUS MATTER OR DEBRIS NOR CONTAIN TOXIC SUBSTANCES.
- THE CONTRACTOR SHALL PROVIDE THE OWNER / LANDSCAPE ARCHITECT WITH TOPSOIL TEST RESULTS (RECOMMEND UMASS AMHERST SOIL TESTING LAB) FOR APPROVAL PRIOR TO OBTAINING AND PLACING THE SOIL. IF THE PLANTING SOIL (BOTH ONSITE AND OFFSITE SOURCES) DOES NOT FALL WITHIN THE REQUIRED SIEVE ANALYSIS, TEXTURAL CLASS, ORGANIC CONTENT, OR PH RANGE, IT SHALL BE ADJUSTED TO MEET THE SPECIFICATIONS THROUGH THE ADDITION OF SAND, COMPOST, LIMESTONE, OR ALUMINUM SULFATE TO BRING IT WITHIN THE SPECIFIED LIMITS.
- TOPSOIL SHALL HAVE A PH VALUE BETWEEN 5.5 AND 6.5. TOPSOIL SHALL CONTAIN BETWEEN 4% AND 8% ORGANIC MATTER OF TOTAL DRY WEIGHT AND SHALL CONFORM TO THE FOLLOWING GRADATION AND TEXTURE CLASS ABOVE.

TOPSOIL  
NOT TO SCALE

3

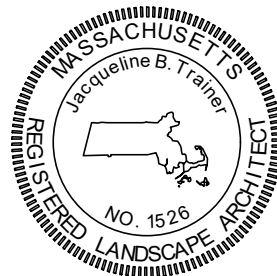


NOTES:

- ALL GROUNDCOVER/PERENNIALS SHALL HAVE THE SAME RELATIONSHIP TO FINISH GRADE AFTER PLANTING AS THEY HAD AT THE ORIGINAL NURSERY SETTING. ROOT FLARE SHALL BE 2" ABOVE FINISH GRADE. REMOVE SOIL FROM STEM OF GROUND COVER/ PERENNIAL TO DETERMINE ACTUAL ROOTBALL AREA.
- BACKFILL WITH PLANTING MIX. PLANT MIX TO BE: 50% NATIVE TOPSOIL, 20% BLENDED AND GROUND COMPOST (LEAVES & ORGANIC MATERIAL, NO ASH OR TOXIC MATERIALS) 20% PEAT MOSS, 10% SAND.
- ADD MYCORRHIZA SOIL ADDITIVES AND SLOW RELEASE FERTILIZER WHEN PLANT HOLES ARE 50% FILLED AND WATER THOROUGHLY AT COMPLETION.

PERENNIAL PLANTING  
NOT TO SCALE

2



*Paul B. L.*  
05.14.2024

PROFESSIONAL LANDSCAPE ARCHITECT FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
1	05.14.2024	RESPONSE TO TOWN COMMENTS

APPLICANT/OWNER:

THAYER & ASSOCIATES, INC.  
1812 MASSACHUSETTS AVENUE  
CAMBRIDGE, MA 02140

PROJECT:

SPY POND BANK  
RESTORATION  
ARLINGTON, MA

PROJECT NO. 0510-49 DATE: 01.31.2024

SCALE: AS SHOWN DWG. NAME: C-0510-49

DESIGNED BY: JBT CHECKED BY: CMQ

PREPARED BY:

**ALLEN & MAJOR ASSOCIATES, INC.**  
civil engineering • land surveying  
environmental consulting • landscape architecture  
www.allenmajor.com  
100 COMMERCE WAY, SUITE 5  
WOBURN MA 01801  
TEL: (781) 935-6889  
FAX: (781) 935-2896

WOBURN, MA • LAKEVILLE, MA • MANCHESTER, NH

THIS DRAWING HAS BEEN PREPARED IN DIGITAL FORMAT. CLIENT/CLIENTS REPRESENTATIVE OR CONSULTANTS MAY BE PROVIDED COPIES OF DRAWINGS AND SPECIFICATIONS FOR HIS/HER INFORMATION AND/OR SPECIFIC USE ON THIS PROJECT. DUE TO THE POTENTIAL THAT THE PROVIDED INFORMATION MAY BE MODIFIED UNINTENTIONALLY OR OTHERWISE, ALLEN & MAJOR ASSOCIATES, INC. MAY REMOVE ALL INDICATION OF THE DOCUMENT'S AUTHORSHIP ON THE DIGITAL MEDIA. PRINTED REPRESENTATIONS OR PORTABLE DOCUMENT FORMAT OF THE DRAWINGS AND SPECIFICATIONS ISSUED SHALL BE THE ONLY RECORD COPIES OF ALLEN & MAJOR ASSOCIATES, INC.'S WORK PRODUCT.

DRAWING TITLE: LANDSCAPE DETAILS SHEET No. C-502



## Town of Arlington, Massachusetts

---

### Notice of Intent: Medford Boat Club.

#### Summary:

Notice of Intent: Medford Boat Club.

The Conservation Commission will hold a public hearing under the Wetlands Protection Act and Arlington Bylaw for Wetlands Protection to consider a Notice of Intent for an aquatic management program by the Medford Boat Club located on the Mystic Lakes.

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Medford_Boat_Club_NOI_Package.pdf	Medford Boat Club NOI Package.pdf



# **Notice of Intent Application Medford Boat Club Aquatic Management Program**

**Arlington, MA**

**May 2024**

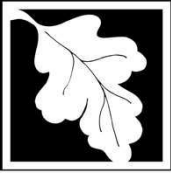
***Prepared for:***  
**Medford Boat Club**  
**% Peter Wells**  
**Mystic Valley Parkway**  
**Medford, MA 02155**

***Prepared by:***  
**SŌlitude Lake Management**  
**590 Lake Street**  
**Shrewsbury, MA 01545**



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**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

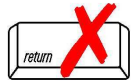
Document Transaction Number

Arlington

City/Town

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Lake Shore Drive

a. Street Address

Arlington

b. City/Town

02476

c. Zip Code

Latitude and Longitude:

75

f. Assessors Map/Plat Number

42.430689

d. Latitude

-71.149492

e. Longitude

7

g. Parcel /Lot Number

2. Applicant:

Peter

a. First Name

Wells

b. Last Name

Medford Boat Club

c. Organization

Mystic Valley Parkway

d. Street Address

Medford

e. City/Town

781-956-3976

h. Phone Number

MA

f. State

02155

g. Zip Code

wellsipeter66@gmail.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Commonwealth of MA

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Dominic

a. First Name

Meringolo

b. Last Name

SOLitude Lake Management

c. Company

590 Lake Street

d. Street Address

Shrewsbury

e. City/Town

508-865-1000

h. Phone Number

MA

f. State

01545

g. Zip Code

dmeringolo@solitudelake.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

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Arlington

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**A. General Information (continued)**

6. General Project Description:

The applicant is seeking an Order of Conditions for an Aquatic Management Program at the Medford Boat Club on the Mystic Lakes to control nuisance plant and algae growth utilizing biological augmentation and treatment with USEPA/MA State registered aquatic herbicides, algaecides, and other BMPs (See Attachment B - Project Description)

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input checked="" type="checkbox"/> Other                          |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

310 CMR 10.53(4) Improving the natural capacity of a Resource Area through the removal of aquatic nuisance vegetation to return pond and lake eutrophication.

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Southern Middlesex

a. County

12121

c. Book

b. Certificate # (if registered land)

620

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Document Transaction Number

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet 108,900	2. square feet 108,900
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Document Transaction Number

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City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	<div>1. square feet</div> <div>2. cubic yards dredged</div>	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	<div>1. square feet</div>	<div>2. cubic yards beach nourishment</div>
e. <input type="checkbox"/> Coastal Dunes	<div>1. square feet</div>	<div>2. cubic yards dune nourishment</div>
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	<div>1. linear feet</div>	
g. <input type="checkbox"/> Rocky Intertidal Shores	<div>1. square feet</div>	
h. <input type="checkbox"/> Salt Marshes	<div>1. square feet</div>	<div>2. sq ft restoration, rehab., creation</div>
i. <input type="checkbox"/> Land Under Salt Ponds	<div>1. square feet</div> <div>2. cubic yards dredged</div>	
j. <input type="checkbox"/> Land Containing Shellfish	<div>1. square feet</div>	
k. <input checked="" type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	<div>1. cubic yards dredged</div>	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<div>1. square feet</div>	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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**C. Other Applicable Standards and Requirements**

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

a. ☐ Yes ☐ No

**If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

b. Date of map \_\_\_\_\_

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

\_\_\_\_\_ percentage/acreage

(b) outside Resource Area

\_\_\_\_\_ percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?      d. ☐ Yes    ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

# **WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

## **C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
 a. ☐ Yes ☐ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.  
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
 a. ☐ Yes ☐ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
 a. ☐ Yes ☐ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
  1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2. ☐ A portion of the site constitutes redevelopment
  3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☐ No. Check why the project is exempt:
  1. ☐ Single-family house
  2. ☐ Emergency road repair
  3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

## **D. Additional Information**

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**D. Additional Information (cont'd)**

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Notice of Intent Application Medford Boat Club, Project Description, and Supporting Figures

a. Plan Title

SOLitude Lake Management

SOLitude Lake Mangement

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

60689

03/28/2024

2. Municipal Check Number

3. Check date

60687

03/28/2024

4. State Check Number

5. Check date

SOLitude Lake Management

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Peter Wells

Peter Wells (May 9, 2024 08:17 EDT)

1. Signature of Applicant

05/09/2024

2. Date

3. Signature of Property Owner (if different)

Dominic Meringolo

5. Signature of Representative (if any)

4. Date

05/09/2024

6. Date

#### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

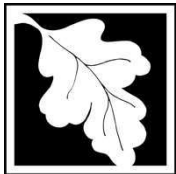
#### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

Lake Shore Drive

a. Street Address

Arlington

b. City/Town

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Peter

a. First Name

Wells

b. Last Name

Medford Boat Club

c. Organization

Mystic Valley Parkway

d. Mailing Address

Medford

e. City/Town

MA

f. State

02155

g. Zip Code

781-956-3976

h. Phone Number

i. Fax Number

wellspeter66@gmail.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

Commonwealth of MA

c. Organization

b. Last Name

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

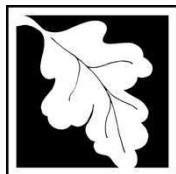
**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).





**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

# NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2e	1		\$500
Step 5/Total Project Fee:			\$500
Step 6/Fee Payments:			\$500
Total Project Fee:			a. Total Fee from Step 5 \$237.50
State share of filing Fee:			b. 1/2 Total Fee <b>less</b> \$12.50 \$262.50
City/Town share of filling Fee:			c. 1/2 Total Fee <b>plus</b> \$12.50

### C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

# **WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**Important:**

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Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

## **A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Lake Shore Drive

a. Street Address

Arlington

b. City/Town

02476

c. Zip Code

Latitude and Longitude:

75

f. Assessors Map/Plat Number

42.430689

d. Latitude

-71.149492

e. Longitude

7

g. Parcel /Lot Number

2. Applicant:

Peter

a. First Name

Wells

b. Last Name

Medford Boat Club

c. Organization

Mystic Valley Parkway

d. Street Address

Medford

e. City/Town

781-956-3976

h. Phone Number

MA

f. State

02155

g. Zip Code

wellspeter66@gmail.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Commonwealth of MA

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Dominic

a. First Name

Meringolo

b. Last Name

SOLitude Lake Management

c. Company

590 Lake Street

d. Street Address

Shrewsbury

e. City/Town

508-865-1000

h. Phone Number

MA

f. State

01545

g. Zip Code

dmeringolo@solitudelake.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**A. General Information (continued)**

6. General Project Description:

The applicant is seeking an Order of Conditions for an Aquatic Management Program at the Medford Boat Club on the Mystic Lakes to control nuisance plant and algae growth utilizing biological augmentation and treatment with USEPA/MA State registered aquatic herbicides, algaecides, and other BMPs (See Attachment B - Project Description)

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input checked="" type="checkbox"/> Other                          |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

310 CMR 10.53(4) Improving the natural capacity of a Resource Area through the removal of aquatic nuisance vegetation to return pond and lake eutrophication.

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Southern Middlesex

a. County

12121

c. Book

b. Certificate # (if registered land)

620

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet 108,900	2. square feet 108,900
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	<div>1. square feet</div> <div>2. cubic yards dredged</div>	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	<div>1. square feet</div>	<div>2. cubic yards beach nourishment</div>
e. <input type="checkbox"/> Coastal Dunes	<div>1. square feet</div>	<div>2. cubic yards dune nourishment</div>
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	<div>1. linear feet</div>	
g. <input type="checkbox"/> Rocky Intertidal Shores	<div>1. square feet</div>	
h. <input type="checkbox"/> Salt Marshes	<div>1. square feet</div>	<div>2. sq ft restoration, rehab., creation</div>
i. <input type="checkbox"/> Land Under Salt Ponds	<div>1. square feet</div>	
	<div>2. cubic yards dredged</div>	
j. <input type="checkbox"/> Land Containing Shellfish	<div>1. square feet</div>	
k. <input checked="" type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	<div>1. cubic yards dredged</div>	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<div>1. square feet</div>	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings





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## **C. Other Applicable Standards and Requirements**

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

### **Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

a. ☐ Yes ☐ No

**If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

b. Date of map \_\_\_\_\_

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

\_\_\_\_\_ percentage/acreage

(b) outside Resource Area

\_\_\_\_\_ percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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**C. Other Applicable Standards and Requirements (cont'd)**

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?      d. ☐ Yes    ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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## **C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
 a. ☐ Yes ☐ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.  
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
 a. ☐ Yes ☐ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
 a. ☐ Yes ☐ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
  1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2. ☐ A portion of the site constitutes redevelopment
  3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☐ No. Check why the project is exempt:
  1. ☐ Single-family house
  2. ☐ Emergency road repair
  3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

## **D. Additional Information**

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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**D. Additional Information (cont'd)**

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Notice of Intent Application Medford Boat Club, Project Description, and Supporting Figures

a. Plan Title

SOLitude Lake Management

SOLitude Lake Mangement

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

60689

03/28/2024

2. Municipal Check Number

3. Check date

60687

03/28/2024

4. State Check Number

5. Check date

SOLitude Lake Management

6. Payor name on check: First Name

7. Payor name on check: Last Name



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I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

*Peter Wells*

Peter Wells (May 9, 2024 08:17 EDT)

1. Signature of Applicant

05/09/2024

2. Date

3. Signature of Property Owner (if different)

*Dominic Meringolo*

5. Signature of Representative (if any)

4. Date

05/09/2024

6. Date

### **For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### **For MassDEP:**

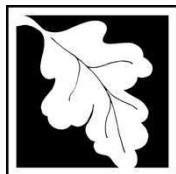
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### **Other:**

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.





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**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

Lake Shore Drive

a. Street Address

Arlington

b. City/Town

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Peter

a. First Name

Wells

b. Last Name

Medford Boat Club

c. Organization

Mystic Valley Parkway

d. Mailing Address

Medford

e. City/Town

MA

f. State

02155

g. Zip Code

781-956-3976

h. Phone Number

i. Fax Number

wellspeter66@gmail.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

Commonwealth of MA

c. Organization

b. Last Name

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

# NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2e	1		\$500
Step 5/Total Project Fee:			\$500
Step 6/Fee Payments:			\$500
Total Project Fee:			a. Total Fee from Step 5 \$237.50
State share of filing Fee:			b. 1/2 Total Fee <b>less</b> \$12.50 \$262.50
City/Town share of filling Fee:			c. 1/2 Total Fee <b>plus</b> \$12.50

### C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



## ***ATTACHMENT A***

### **Abutter Notification**

## **Environmental Monitor Public Notice**

Pursuant to 310 CMR 10.11 (1), notice is hereby given for the filing of a Notice of Intent application to initiate an Ecological Restoration Limited Project for the following project:

### **Medford Boat Club on Mystic Lakes, Arlington, MA**

#### **Location:**

Medford Boat Club on Mystic Lakes  
Off Mystic Valley Parkway  
Arlington, MA 02476

#### **Activity:**

The proposed project is seeking approval to initiate an Aquatic Management Program at the Medford Boat Club on the Mystic Lakes in Arlington, MA. USEPA/State registered herbicides and/or algaecides will be applied to manage nuisance aquatic vegetation and algae to protect the interests of the Wetlands Protection Act by impeding eutrophication and improving habitat value.

#### **To be Reviewed by:**

Arlington Conservation Commission  
730 Mass Ave. Annex  
Arlington, MA 02476

#### **Anticipated date of submission:**

April 10, 2024

#### **Reviewing Materials:**

To obtain the date, time and location of the public hearing, or to examine the NOI, please contact the Arlington Conservation Commission Office at 781-316-3090. Please see the Conservation Commission website at:

<https://www.arlingtonma.gov/town-governance/boards-and-committees/conservation-commission> for the meeting schedule to confirm exact meeting dates and agendas.

Copies of the NOI may also be examined or acquired by contacting the applicant's representative, Solitude Lake Management, at 508-865-1000 or by emailing [kate.clisham@solitudelake.com](mailto:kate.clisham@solitudelake.com), Monday through Friday, 9 AM - 4 PM.

## Affidavit of Service

(Please return to Conservation Commission)

I, Kathryn Clisham, being duly sworn, do hereby state as follows: on May 22, 2024, I mailed a “Notification to Abutters” in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

*The “Applicant”, the Medford Boat Club, is seeking approval to initiate an Aquatic Management Program around their properties located on the Mystic Lakes. The objective of the management program is to control growth of nuisance and non-native aquatic plant species, Eurasian watermilfoil (*Myriophyllum spicatum*) and curly-leaf pondweed (*Potamogeton crispus*), and nuisance filamentous algae, to improve and maintain open water habitat, maintain water quality, promote growth of less pervasive native plant species, and provide safe recreational access to their docks and moorings. Based on the type, distribution, and density of vegetation in the Mystic Lakes, it has been concluded the restoration goals of the Applicant can best be achieved through regular monitoring and the prudent use of USEPA/MA DAR registered herbicides and algaecides.*

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 22th day of May 2024.

*Kathryn Clisham*

Name



## Abutter Notification

### Notification to Abutters Under the Massachusetts Wetlands Protection Act And Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on **Thursday, June 6, 2024** at **7:00 PM** in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Notice of Intent from **Peter Wells, Medford Boat Club** for an **Aquatic Management Program around their properties located on the Mystic Lakes**, within 200 feet of a Riverfront, **Assessor's Parcel IDs: 075.0-0002-0012.0 and 075.0-0007-0001.0**. Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation Agent at 781-316-3012 or [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us). For more information call the applicant's representative, SOLitude Lake Management, at **508-865-1000** or the Arlington Conservation Commission at 781-316-3090, or the DEP Northeast Regional Office at 978-694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance on the Arlington Town Hall website.

Dated: May 22, 2024

**CERTIFIED ABUTTERS LIST****Date: March 26, 2024****Subject Property Locations: 0 LOT LAKE SHORE DR & 0 LOT UPPER & LOWER M Arlington, MA****Subject Parcel IDs: 075.0-0002-0012.0 & 075.0-0007-0001.0****Search Distance: 100 Feet**

Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address1	Mailing Address2	City/Town	State	Zip
75-2-10	30 LAKE SHORE DR	DOLAN SARA Q/DAVID D	NYBERG JONATHAN M	PO BOX 292		ARLINGTON	MA	02476
75-2-12	0-LOT LAKE SHORE DR	MEDFORD BOAT CLUB INC		P.O. BOX 560006		MEDFORD	MA	02156
75-2-13	0-LOT ROBIN HOOD RD	NYBERG JONATHAN	DOLAN SARA Q/DAVID D	PO BOX 292		ARLINGTON	MA	02476
75-2-14	0-LOT ROBIN HOOD RD	TULI JAY & BINDI / TRUSTEES	JAY TULI FAMILY TRUST	48 ROBIN HOOD RD		ARLINGTON	MA	02474
75-6-6	0-LOT LAKE SHORE DR	DOLAN DAVID D & SARAH Q &	NYBERG JONATHAN M	PO BOX 292		ARLINGTON	MA	02474
75-6-7	0-LOT LAKE SHORE DR	INTERLAKEN II BEACH TRUST		C/O JOEL ROTHSTEIN	31 ROBIN HOOD RD	ARLINGTON	MA	02474
75-7-1	0-LOT UPPER & LOWER M	MEDFORD BOAT CLUB CORP		P.O. BOX 560006		MEDFORD	MA	02156
75-7-1.A	0-LOT UPPER & LOWER M	DEPT/CONSERVATION & RECREATION	WATER SUPPLY PROTECTION DIV	STATE TRANSPORTATION BLDG	10 PARK PLZ STE 6620	BOSTON	MA	02116

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to subject parcels with 100 feet.

**Town of Arlington****Office of the Board of Assessors****730 Massachusetts Ave****Arlington, MA 02476****phone: 781-316-3050****email: [assessors@town.arlington.ma.us](mailto:assessors@town.arlington.ma.us)**



**DOLAN, SARA Q/DAVID D  
NYBERG, JONATHAN M  
PO BOX 292  
ARLINGTON, MA 02476**

Medford Boat Club

**DOLAN, SARA Q/DAVID D  
NYBERG, JONATHAN M  
PO BOX 292  
ARLINGTON, MA 02476**

Meford Boat Club

**DOLAN, SARA Q/DAVID D  
NYBERG, JONATHAN M  
PO BOX 292  
ARLINGTON, MA 02476**

Medford Boat Club

**MEDFORD BOAT CLUB INC  
PO BOX 560006  
MEDFORD, MA 02156**

**MEDFORD BOAT CLUB INC  
PO BOX 560006  
MEDFORD, MA 02156**

Medford Boat Club

**MEDFORD BOAT CLUB INC  
PO BOX 560006  
MEDFORD, MA 02156**

**NYBERG, JONATHAN M  
DOLAN, SARA Q/DAVID D  
PO BOX 292  
ARLINGTON, MA 02476**

Medford Boat Club

**NYBERG, JONATHAN M  
DOLAN, SARA Q/DAVID D  
PO BOX 292  
ARLINGTON, MA 02476**

Medford Boat Club

**NYBERG, JONATHAN M  
DOLAN, SARA Q/DAVID D  
PO BOX 292  
ARLINGTON, MA 02476**

**DOLAN, DAVID D/SARA Q  
NYBERG, JONATHAN M  
PO BOX 292  
ARLINGTON, MA 02476**

Medford Boat Club

**DOLAN, DAVID D/SARA Q  
NYBERG, JONATHAN M  
PO BOX 292  
ARLINGTON, MA 02476**

Medford Boat Club

**DOLAN, DAVID D/SARA Q  
NYBERG, JONATHAN M  
PO BOX 292  
ARLINGTON, MA 02476**

**INTERLAKEN II BEACH TRUST  
% JOEL ROTHSTEIN  
31 ROBIN HOOD RD  
ARLINGTON, MA 02476**

Medford Boat Club

**INTERLAKEN II BEACH TRUST  
% JOEL ROTHSTEIN  
31 ROBIN HOOD RD  
ARLINGTON, MA 02476**

Medford Boat Club

**INTERLAKEN II BEACH TRUST  
% JOEL ROTHSTEIN  
31 ROBIN HOOD RD  
ARLINGTON, MA 02476**

**DEPT/CONSERVATION & RECREATION  
WATER SUPPLY PROTECTION DIV  
STATE TRANSPORTATION BLDG  
10 PARK PLZ STE 6620  
BOSTON, MA 02116**

Medford Boat Club

**DEPT/CONSERVATION & RECREATION  
WATER SUPPLY PROTECTION DIV  
STATE TRANSPORTATION BLDG  
10 PARK PLZ STE 6620  
BOSTON, MA 02116**

Medford Boat Club

**DEPT/CONSERVATION & RECREATION  
WATER SUPPLY PROTECTION DIV  
STATE TRANSPORTATION BLDG  
10 PARK PLZ STE 6620  
BOSTON, MA 02116**

**DEP  
PO BOX 4062  
BOSTON, MA 02211**

Medford Boat Club

**DEP  
PO BOX 4062  
BOSTON, MA 02211**

Medford Boat Club

**DEP  
PO BOX 4062  
BOSTON, MA 02211**

**MA DEP  
SOUTHEAST REGIONAL OFFICE  
20 RIVERSIDE DRIVE  
LAKEVILLE, MA 02347**

Medford Boat Club

**MA DEP  
SOUTHEAST REGIONAL OFFICE  
20 RIVERSIDE DRIVE  
LAKEVILLE, MA 02347**

Medford Boat Club

**MA DEP  
SOUTHEAST REGIONAL OFFICE  
20 RIVERSIDE DRIVE  
LAKEVILLE, MA 02347**



## ***ATTACHMENT B***

### **Project Description**



## 1.0 Introduction

The “Applicant”, the Medford Boat Club, is seeking approval to re-initiate an Aquatic Management Program around their properties located on the Mystic Lakes. The objective of the management program is to control growth of nuisance and non-native aquatic plant species, including but not limited to Eurasian watermilfoil (*Myriophyllum spicatum*) and curly-leaf pondweed (*Potamogeton crispus*), as well as nuisance filamentous algae, to improve and maintain open water habitat, maintain water quality, promote growth of less pervasive native plant species, and provide safe recreational access to their docks and moorings. Based on the type, distribution, and density of vegetation in Medford Boat Club area of the Mystic Lakes, it has been concluded the restoration goals of the Applicant can best be achieved through regular monitoring and the prudent use of USEPA/MA DAR registered herbicides and algaecides.

The proposed project has been filed as an Ecological Restoration Limited Project under 310 CMR 10.53(4) and will protect the interest of the Wetland Protection Act by controlling a non-native/nuisance species, improving fish habitat, improving water quality and slowing lake eutrophication.<sup>1</sup>

## 2.0 Problem Statement

The proposed management area is approximately 2.5 acres, in Upper and Lower Mystic Lakes adjacent to the Boat Club (Attachment C – Figure 1). The area would be considered a littoral area, where sunlight penetrates through the water to the sediment and can support dense aquatic macrophyte growth. Based upon vegetation surveys of other portions of the Mystic Lakes and River system, conditions can be degraded due to moderate to dense growth of submersed macrophytes and nuisance filamentous algae. The unmanaged, dense growth of vegetation can degrade water quality, fish/wildlife habitat, and reduce safe recreational access to the waterbody. Based on the goals of the Applicant, a management program focusing on regular monitoring and chemical treatment with USEPA/MA DAR approved herbicides and algaecides is proposed to control the non-native and nuisance plant and algae species to maintain open water conditions and maintain desirable water quality.

The proposed management program is comparable to the previously approved Order of Conditions (DEP File # 91-0296) and for Aquatic Management Programs in Arlington along Parker Road and Robin Hood Road, in Winchester at the Upper Mystic Lake Forebays, and in the Mystic and Malden Rivers in Everett, Medford, and Somerville.

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<sup>1</sup> Department of Environmental Protection. Guidance for Aquatic Plant Management in Lake and Ponds as it Relates to the Wetlands Protection Act: April 2004, 1p.

### 3.0 Site Description

The proposed management area is a 2.5-acre area around the Boat Club's docks and recreation areas (Attachment C – Figure 1). The entirety of the management area is within Arlington and west of the Upper Mystic Lake spillway. Water enters the system through the Aberjona River in Winchester and exits to the Mystic River at the southern end of Lower Mystic Lake. The shoreline of both waterbodies support moderate residential development and is used for various contact recreation pursuits, including swimming, boating, and fishing, in addition to passive wildlife viewing.

Medford Boat Club Management Area <sup>2</sup>	
Surface Area (acres)	2.5
Est. Mean Depth (feet)	6.0
Maximum Reported Depth (feet)	16
Estimated Volume	15 ac-ft. (4.8 million gal.)
Dominant Plant Species	Eurasian watermilfoil Curly-leaf pondweed Coontail Pondweeds Filamentous algae

### 4.0 Existing Conditions

The most common observed species were two invasive aquatic macrophytes, Eurasian watermilfoil and curly-leaf pondweed. Prior to management efforts, these species can dominate the vegetation composition and outcompete native beneficial vegetation. Other submersed vegetation observed included large-leaf pondweed (*Potamogeton amplifolius*), Richardson's pondweed (*P. richardsonii*), clasping-leaf pondweed (*P. perfoliatus*), coontail (*Ceratophyllum demersum*), and waterweed (*Elodea canadensis*). Benthic filamentous algae was commonly encountered in a low-density growing beneath and on the vegetation. In the shallower areas with slower moving water, floating-leaf species were established and provided beneficial habitat. These included white waterlily (*Nymphaea odorata*), yellow waterlily (*Nuphar variegata*), and watershield (*Brasenia schreberi*).

### 5.0 In-Lake Management Recommendations

#### 5.1 Program Overview:

Multiple-year (5) approval is requested for the implementation of the Aquatic Management Program around the Medford Boat Club. The goal of the management program is to control growth of Eurasian watermilfoil and curly-leaf pondweed, in addition to other nuisance aquatic plant and algae species, to improve and maintain open water habitat, promote the growth of less pervasive plant species, and provide safe recreational access to the area through an integrated management program. This management program has been developed to be compatible with the goals of Applicant keeping in mind the regulatory responsibilities of the Arlington Conservation Commission and MA DEP.

As with any dynamic system, the ability to change and modify the management program is paramount to its success. The primary objectives of improving water quality and maintaining open water habitat can be achieved through regular monitoring supplemented by the prudent use of USEPA/MA DAR registered aquatic herbicides and algaecides. Specifically, we are requesting approval for use of diquat (trade

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<sup>2</sup> Estimates based on observed and reported conditions

name: Tribune), endothall (Aquathol K), flumioxazin (Clipper), glyphosate (AquaNeat), and Florpyrauxifen-benzyl (ProcellaCOR-EC) herbicides and copper-based algaecides. The proposed herbicides and algaecides specifically affect the target species to be controlled and have a negligible effect on the non-target species and wildlife when applied in accordance with the label directions. All chemicals are applied at or below suggested doses according to the product label. All doses are based on plant types and densities, so that a minimum amount of the chemicals is introduced into the waterbody.

No significant alteration to the wetland resource areas will occur as a result of the proposed pond management program; instead, the resource areas will be enhanced by controlling a non-native, invasive aquatic plant species, dense native vegetation, and improving water quality.

### 5.2 Proposed Products and management Techniques

#### **Diquat (Tribune<sup>→</sup> - EPA # 100-1390 or equivalent)**

Tribune (diquat) is an effective herbicide for partial-pond treatments due to its rapid mode of action and short herbicide concentration-exposure-time requirements. Even though diquat is considered to be a contact-herbicide, longer term control may be seen as plants' root crowns will not be allowed to develop.

The USEPA/MA registered herbicide diquat dibromide will be applied to the area at or below the permissible label dose. Tribune is a widely used herbicide, applied to greater than 500 lakes and ponds annually, throughout the northeast, to control nuisance submersed aquatic plants. Diquat would be applied to control bladderwort and other nuisance submersed plants at the application rate of 1.0-2.0 gal/acre, if necessary. Temporary water use restrictions for diquat are now: 1) No drinking or cooking for 3 days. 2) No irrigation of turf for 3 days and of food crops for 5 days, and 3) No livestock watering for 1 day. There are no restrictions on swimming, boating, or fishing, but prudent practice of herbicide/algaecide management suggest that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water use restrictions, prior to treatment.

Diquat is translocated to some extent within the plant. Its rapid action tends to disrupt the leaf cuticle of plants and acts by interfering with photosynthesis. Upon contact with the soil, it is adsorbed immediately and thereby biologically inactivated. Residual levels of diquat in treated water decline rapidly and their reduction is due to the uptake by the targeted vegetation and adsorption to suspended soil particles in the water or on the bottom mud. Photochemical degradation accounts for some loss under conditions of high sunlight and clear waters.

#### **Impacts Specific to the Wetlands Protection Act using Diquat<sup>3</sup>**

- Protection of public and private water supply – Benefit (water quality improvement)
- Protection of groundwater supply – Neutral; no interaction as diquat is absorbed to soil particles
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake

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<sup>3</sup> Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 124 p.

- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

#### **Endothall (Aquathol-K – EPA # 70506-176)**

The USEPA/MA registered herbicide endothall will be applied to the area at or below the permissible label dose. Aquathol-K will be applied to the area for control of nuisance vegetation at the application rate of 2-3 parts per million. Aquathol-K is especially effective on pondweeds. The low application rate, along with timing of the treatment, allow for selectivity of the vegetation controlled. Temporary water use restrictions for Aquathol-K are 1) Do not use treated water for livestock watering or domestic purposes within 14 days of treatment. There is no restriction on using treated water for irrigation or swimming and boating, although prudent management practices call for the closure of the area for at least one day following treatment.

Endothall is a contact herbicide. The mode of action is suspected to inhibit the use of oxygen for respiration; only portions of the plant with which the herbicide can come into contact are impacted. Most endothall compounds break down readily and are not persistent in the aquatic environment.

#### **Impacts Specific to the Wetlands Protection Act using Endothall<sup>4</sup>**

- Protection of public and private water supply – Neutral
- Protection of groundwater supply – Neutral (no interaction as endothall is adsorbed to soil particles)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

#### **Flumioxazin (Flumigard® - EPA # 81927-68 or equivalent)**

The USEPA/MA registered herbicide flumioxazin (Clipper) is the only contact herbicide currently approved for use in Massachusetts that can provide effective control of duckweed and watermeal, as well as filamentous algae. Clipper herbicide is classified as a PPO (Protoporphyrinogen oxidase) inhibitor that initiates cell membrane disruption, providing control of a broad range of susceptible plants. Clipper is a true contact herbicide that provides quick and effective control of target plant species. Although Clipper is not shown to have systemic activity, one or more years of reasonable control have been observed at other projects in New England where Clipper has been applied. Flumioxazin is extremely fast-acting and has a very short half-life so it is perfect for spot/site specific

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<sup>4</sup> Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 127 p

treatments.

#### **Impacts Specific to the Wetlands Protection Act using Flumioxazin**

- Protection of public and private water supply – Benefit (water quality improvement)
- Protection of groundwater supply – Neutral no interaction as flumioxazin has a low leaching potential
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

#### **Glyphosate (AquaNeat<sup>®</sup> - EPA # 228-365 or equivalent)**

Glyphosate is used to control waterlilies, watershield and emergent plants such as purple loosestrife and common reed. It is typically applied in August/September for control of emergent species. Glyphosate would be applied at the recommended Federal/State concentration of 3 quarts/acre. There are no water-use restrictions associated with the use of glyphosate other than use in the vicinity of potable water intakes, but prudent practice calls for restriction of water usage on the day of treatment as an additional safeguard. These restrictions are consistent with good pesticide practice and Massachusetts guidelines for aquatic treatments.

Glyphosate is a systemic herbicide and is foliar active. This means the herbicide is active only on contact with the plant. It has no activity in surrounding soil or water. The chemical is applied to the leaves of the target plant and is translocated down into the rhizomes or roots of the plant. Glyphosate is absorbed by plant foliage and moves throughout plant tissues. Once inside the plant, the active ingredient in glyphosate interrupts the plant's ability to produce a protein it needs to live. The protein that glyphosate targets is found only in plants. It does not exist in humans, wildlife or fish. Glyphosate binds tightly to most types of soil particles and is unavailable for root uptake. There is low potential for leaching or contamination of groundwater with glyphosate herbicide. Microorganisms in the soil and water break down into its natural components.

#### **Impacts Specific to the Wetlands Protection Act using Glyphosate<sup>5</sup>**

- Protection of public and private water supply – Protection of public and private water supply – Detriment (prohibition within one quarter mile of surface drinking water supplies due to toxicity), but generally neutral where allowed
- Protection of groundwater supply – Neutral (no interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

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<sup>5</sup> Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 128 p.



- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

#### **Florpyrauxifen-benzyl (ProcellaCOR<sub>TM</sub> EC - EPA # 67690-80 or equivalent)**

ProcellaCOR (florpyrauxifen-benzyl) is a recently registered herbicide in Massachusetts and is an effective, selective, systemic herbicide on milfoil, hydrilla, and emergent species.

The herbicide will be applied to the area at or below the permissible label dose. Due to the limited contact-exposure time required for control of the target species, concentrations only need to be maintained for hours to several days to achieve management. Temporary water-use restrictions for ProcellaCOR include no non-agricultural irrigation to vegetation other than turf according to the Table on product label (6 hours to 35 days). There are no restrictions on swimming, boating, or fishing, but prudent herbicide/algaecide management suggests that we close the waterbody on the day of treatment. The shoreline of the waterbody will be posted with signs warning of these temporary water-use restrictions, prior to treatment.

The herbicide is quickly absorbed by the target vegetation and translocated within the plant. The mode of action of the herbicide causes impacted vegetation to lose structural integrity at growth nodes. Residual levels of the herbicide in treated water decline rapidly and reduction is due to the uptake by the targeted vegetation and degradation.

Procellacor has been added to the MA GEIR for Eutrophication and Aquatic Plant Management. Usage of the herbicide in neighboring New England states for the past several years has proven its effectiveness on milfoil species in both large-scale and limited, targeted spot-treatments. The use rate for Procellacor is 200-400 times lower than older chemistry formulations, achieving a Reduced Risk Classification by the USEPA.

#### **Impacts Specific to the Wetlands Protection Act using Florpyrauxifen-benzyl**

- Protection of public and private water supply – Neutral (no significant interaction)
- Protection of groundwater supply – Generally neutral (no interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the pond
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

#### **Algaecides (Captain XTR – EPA # 67690-9, SeClear – EPA # 67690-55, GreenClean PRO – EPA #70299-15, or equivalent)**

Approval for the use of a copper or peroxide based algaecide is requested in the event that nuisance algae conditions develop, warranting treatment.

Copper based algaecides (i.e. CuSO<sub>4</sub>, Captain, SeClear) are widely used and are applied to lakes and ponds throughout North America to control nuisance filamentous and microscopic algae. There are no water use restrictions associated with copper-based algaecides and SOLitude treats several direct,

potable (drinking) water reservoirs and a number of recreation waterbodies in the Commonwealth with these algaecides, on a yearly basis. The concentrated liquid algaecides are first diluted with pond water and are then sprayed throughout the pond area. The application rate is generally 0.2 ppm or less for algae control. If applied, treatment will not exceed 50% of the pond volume.

Peroxide based algaecides (e.i. GreenClean PRO, GreenClean Liquid) are a recent addition to algae management. Similar to copper algaecides, there are no water use restrictions. The concentrated products are diluted with pond water and then sprayed evenly throughout the treatment area. The application rate is 0.5 – 1.5 gallons per acre-foot for algae control. If applied, treatment will not exceed 50% of the pond volume.

#### **Impacts Specific to the Wetlands Protection Act using Copper<sup>6</sup> and Peroxide algaecides**

- Protection of public and private water supply – Benefit (used to control algae)
- Protection of groundwater supply – Neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if algae/plant die-off causes low oxygen at the bottom of the lake or causes release of taste and odor compounds or toxins
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances.
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)

Proper herbicide application allows for targeted plant control without posing an unreasonable adverse risk to non-target species and wildlife. Written approval from the Commission will be sought should alternate products be considered in future years. All products proposed for use will be registered for aquatic use in Massachusetts.

#### **Management Technique Descriptions**

Detailed information on all the approaches proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<https://www.mass.gov/info-details/lakes-and-ponds-program-publications>

Additional information on the herbicides and algaecides can be found at the **Massachusetts Department of Agricultural Resources website**:

<https://www.mass.gov/info-details/search-for-aquatic-herbicides-registered-in-massachusetts>

#### **5.3 Monitoring:**

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<sup>6</sup> Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 122 p.

Regular inspections will be conducted in order to assess the growth phase of the target plant species and overall pond conditions. Post-management inspections will be conducted in order to assess the efficacy of the management efforts and any impacts on non-target species so future applications can be properly adjusted to minimize non-target impacts. Year-End Reports documenting our annual management efforts, observed conditions, management efficacy, and future recommendations can be provided to the Commission.

## **6.0 Alternative Analysis:**

Alternatives to the proposed Aquatic Plant Management Plan were considered. SŌLitude evaluated all available strategies for management of the Medford Boat Club. Findings and recommendations are based on direct experience and discussions found in the *Eutrophication and Aquatic Plant Management in Massachusetts Final Generic Environmental Impact Review* (FGEIR, EOE 2004).

### *Bottom Weed Barriers: Not Recommended*

Physical controls, such as the use of bottom weed barriers (i.e. Aquatic Weed Net or Palco) can be effective for small dense patches of nuisance vegetation, but are not cost effective or feasible for large areas. Weed barriers are expensive to install and maintain at ~\$1.75/ft<sup>2</sup> (material & installation). Semi-annual maintenance to retrieve, clean and re-deploy the barriers would be expensive and time consuming. Additionally, covering expansive areas of the pond bottom may also have detrimental impacts on invertebrates or other types of wildlife.

### *Harvesting: Not Recommended*

Harvesting of milfoil is not recommended because of its ability to reproduce through vegetative fragmentation, leading to increased spread into previously un-infested areas or further intensifying growth rates. Additionally, harvesting would be costly and at best would only provide a season of relief from the native vegetation growth with no guarantee of success. The disruption and non-target impacts would be more significant than with spot-treatments using aquatic herbicides.

### *Biological: Not Recommended*

There are no proven biological controls available or approved by the State for the control of the invasive aquatic plant species present.

### *Sediment Excavation/Dredging: Not Recommended*

Dredging nutrient rich bottom sediment is sometimes used as a strategy to control excessive weed growth. Conventional (dry) or hydraulic dredging would require the expenditure of hundreds of thousands of dollars in design and permitting fees alone. Dredging may also have severe impacts to aquatic organisms (i.e. fish and macroinvertebrates) in the ponds with no guarantees of elimination of invasive vegetation.

### *Do Nothing: Not Recommended*

If the invasive and nuisance plant and algae growth is allowed to continue unabated, eutrophication and filling-in at the pond will continue to occur at an accelerated rate due to the annual decomposition of excessive plant material. Anoxic conditions would degrade water quality and potentially impact fish and other aquatic organisms. Stagnant conditions will also increase water temperatures promoting both algae and bacterial growth as well as providing extensive mosquito breeding habitat. The pond's recreational and aesthetic value would be significantly degraded.

## 7.0 Compliance:

### Massachusetts Wetlands Protection Act:

The objective of this project is to manage dense native vegetation and potential invasive purple loosestrife growth. Managing densities of native species will typically not adversely affect wildlife habitat and will not negatively impact other interests of the Massachusetts Wetlands Protection Act. No significant alteration to wetland resources areas will occur as a result of the proposed management program; instead the resource areas will be enhanced by controlling the nuisance plant and algae growth. The proposed management activities are consistent with the guidelines in the following documents:

- Final Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts (June 2004)
- Guidance for Aquatic Plant Management in Lakes and Ponds: As it Relates to the Wetlands Protection Act (April 2004 – DEP Policy/SOP/Guideline # BRP/DWM/WW/G04-1)
- The Practical Guide to Lake Management in Massachusetts (2004)

### DEP License To Apply Chemicals:

All chemical applications will be performed by Certified Applicators. The USEPA/MA registered aquatic herbicides will be applied at recommended label rates, in accordance with the “Order of Conditions” and DEP “License to Apply Chemicals” permits (BRP WM04). Prior to treatment, the shoreline will be posted with signs warning of all temporary water use restrictions. A site specific "License to Apply Chemicals" for the proposed treatment will be filed with Massachusetts DEP, Office of Watershed Management.

### Massachusetts Environmental Policy Act:

The strategies proposed in this NOI are options approved under the Massachusetts Environmental Protection Act (MEPA) process that was approved in 2004 with the issuance of the FGEIR and the *Practical Guide to Lake and Pond Management in Massachusetts*. These approaches do not require individual MEPA review.

### Massachusetts Endangered Species Act:

According to the most recent Natural Heritage maps provided by MA GIS (Attachment C - Figure 3), the project site is not located within an area designated as Priority Habitats of Rare Species as determined by the Massachusetts Natural Heritage & Endangered Species Program (NHESP). A formal review by NHESP is not required.

## 8.0 Impacts of the Proposed Management Plan Specific to the Wetlands Protection Act:

Protection of public and private water supply – The Mystic Lakes are not used directly as a drinking water supply. Aquatic herbicide treatment at the pond will not have any adverse impacts on the public or private water supply, when used in accordance with the product label and conditions of the MA DEP License to Apply Chemicals.

Protection of groundwater supply – According to available studies, there is no reason to believe that the groundwater supply will be adversely impacted by the proposed management strategies, specifically the application of the chemicals at the proposed rates to the Medford Boat Club property, when used in accordance with the product labels. Contamination of groundwater by aquatic herbicides is limited by their low rate of application, rapid rate of degradation, and uptake by target

plants. SÖLitude's State licensed applicators take all necessary precautions when mixing and disposing of all chemical containers.

Flood control and storm damage prevention – No construction, dredging or alterations of the existing floodplain and storm damage prevention characteristics of the pond are proposed. However, in some instances, abundant and excessive aquatic plant growth can contribute to high water and flooding. Most commonly this occurs in the vicinity of waterbody outlets or water conveyance channels and structures. The unmanaged, annual growth and decomposition of abundant plant growth is also known to increase sediment deposition at an accelerated rate. Therefore, the proposed management approaches may increase the capacity of the resource area over the long-term to provide flood protection.

Prevention of pollution – No degradation of water quality or increased pollution is expected by the proposed management approaches. The proposed herbicides are relatively slow in controlling the nuisance vegetation. This results in a slow release of nutrients from the decaying plants, reducing the potential for increases in nutrients that can cause algae blooms. Removal of the excessive growth of aquatic vegetation will contribute to improved water circulation and a reduction in the potential for anoxic conditions. The post-treatment decrease in plant biomass will help to decrease the rate of eutrophication currently caused by the decomposing of excessive plant material.

Protection of fisheries and shellfisheries – Contiguous, dense beds of aquatic vegetation provide poor habitat for most species of fish. Dense plant cover frequently results in significant diurnal fluctuations in dissolved oxygen as well as oxygen depletion during certain times of the year. While temporary effects on some desirable submersed and floating-leafed species may occur following the application of an aquatic herbicide, non-target plants typically rebound quickly. Shoreline emergent plants will not be impacted following the use of aquatic herbicides.

Protection of wildlife and wildlife habitat – In general, excessive and abundant plant growth, especially non-native plants, provides poor wildlife habitat for fish and other wildlife. The proposed management plan is expected to help prevent further degradation of the waterbody through excessive weed growth and improve the wildlife habitat value of the pond in the long-term. Maintaining a balance of open water and vegetated areas is intended.

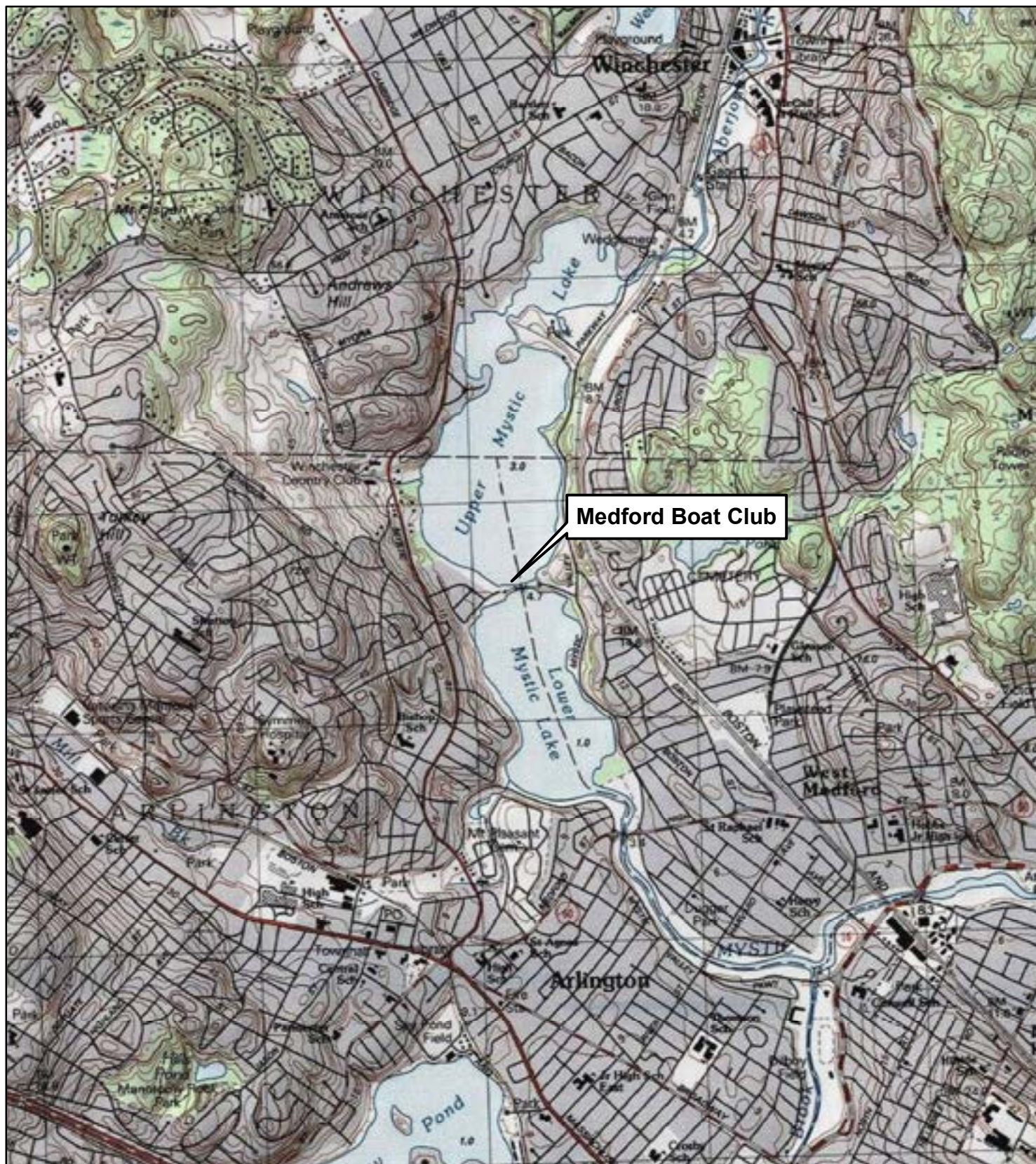




## ***ATTACHMENT C***

### **Figures**

FIGURE 1: Site Locus



**Mystic Lakes**  
Arlington, MA  
Middlesex County  
42.43056°, -71.14932°



**Medford Boat Club**

0 1,500 3,000  
Feet  
1:24,000



Prepared by: KV  
Office: SHREWSBURY, MA  
158 of 162



FIGURE 2: Site Map



Maxar, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METV  
NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Medford Boat Club  
Arlington, MA

## Medford Boat Club

0 330 660 Feet

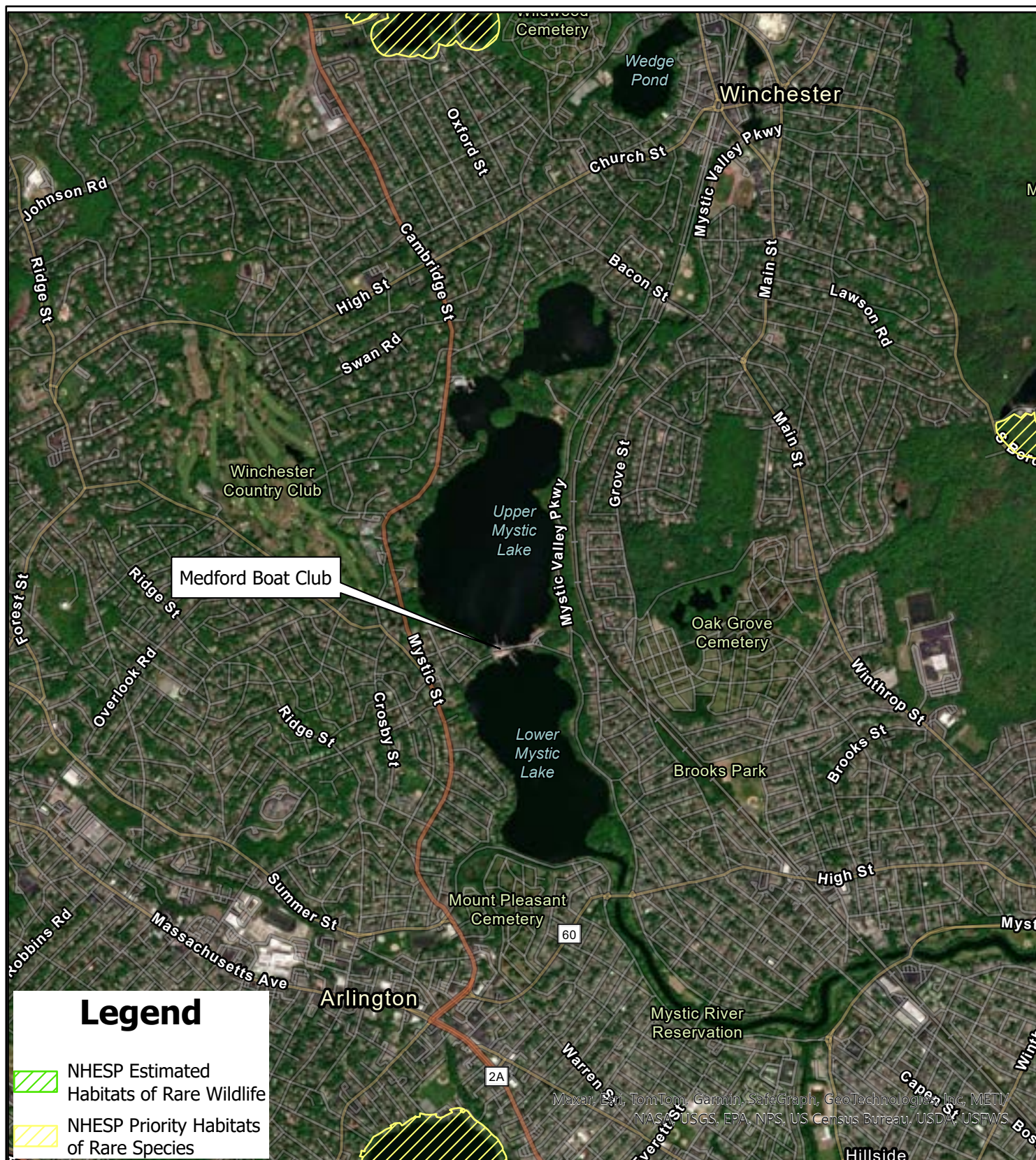
1:4,155



Map Date: 05/01/2024  
Prepared by: KC  
Office: 1596162, MA



FIGURE 3: Natural Heritage Estimated and Priority Habitats of Rare Wildlife



## Legend

- NHESP Estimated Habitats of Rare Wildlife
- NHESP Priority Habitats of Rare Species

**Mystic Lakes**  
Arlington, MA  
Middlesex County  
42.43056°, -71.14932°

## Medford Boat Club

0 500 1,000 2,000  
Feet  
1:24,000



Map Date: 05/10/2024  
Prepared by: KF  
Office: Shrewsbury, MA



### **Herbicide/Algaecide Information**

Detailed information herbicides proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/>>

Additional information on these herbicides can be found at the **Massachusetts Department of Agricultural Resources website**

<http://www.mass.gov/eea/agencies/agr/pesticides/aquatic-vegetation-management.html>



## Legal Notice Charge Authorization

DATE:

TO: [legals@wickedlocal.com](mailto:legals@wickedlocal.com)

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on \_\_\_\_\_ for a public hearing with the Arlington Conservation Commission to review a project at the following location:

Medford Boat Club, Mystic Lakes

Thank you,

Signed: *Kathryn Clisham*

Send bill to: SOLitude Lake Management  
590 Lake Street  
Shrewsbury, MA 01545  
[kate.clisham@solitudelake.com](mailto:kate.clisham@solitudelake.com)  
P: 508-981-7036